



Internal Oversight Division

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Audit Report

Audit of WIPO's Ethics Framework

March 6, 2017

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LIST OF ACRONYMS

CEB	Chief Executive Board
CoCo	WIPO Coordination Committee
CRC	Contracts Review Committee
DPPF	Department of Program Planning and Finance
EF	Ethics Framework
EO	Ethics Office
FDDI	Financial Disclosure and the Declaration of Interests
HRMD	Human Resources Management Department
IAOC	Independent Advisory Oversight Committee
ICTD	Information and Communication Technology Department
ICS	Individual Contractor Services
IIA	Institute of Internal Auditors
IOD	Internal Oversight Division
IP	Intellectual Property
IPPF	International Professional Practices Framework
IPSAS	International Public Sector Accounting Standards
OI	Office Instruction
PaR	Policy on Protection Against Retaliation
PBC	Program and Budget Committee
PI	Performance indicator
PTD	Procurement and Travel Division
PPBD	Program Performance and Budget Division
SMT	Senior Management Team
SRP	Strategic Realignment Program
ToR	Terms of Reference
UN	United Nations
UN-SWAP	UN System-Wide Action Plan
WAB	WIPO Appeals Board
WIPO	World Intellectual Property Organization

EXECUTIVE SUMMARY

1. In accordance with its 2016 work plan, WIPO's Internal Oversight Division (IOD) conducted an Audit of the Organization's Ethics Framework, a critical component of the World Intellectual Property's (WIPO) internal control mechanisms and risk management strategy.
2. The design and structure of WIPO's Ethics Framework were found to be quite adequate, in terms of the positioning of institutional units, set of internal controls and processes and the robust underlying set of rules, regulations, policies and guidelines (especially since the onset of the Structural Realignment Program). The survey carried out as part of this audit showed that the design and structure of WIPO's Ethics Framework are consistent with norms in practice among the United Nations System and other International Organizations.
3. The overall effectiveness of the Ethics Framework was assessed to be structurally sound and quite satisfactory. This assessment reflects the consolidated views of the Independent Advisory Oversight Committee (IAOC) in recent annual reports, the investigative caseload of IOD, the type and number of disciplinary measures over the last few years and an analysis of the recent internal survey of staff and management.
4. Ethics Framework effectiveness, however, did suffer somewhat from imperfect or partial implementation in some areas, such as the frequency, quality and relevance of ethics training to WIPO's specific context as well as communication.
5. Among opportunities for enhancement of the Ethics Framework, IOD places a high priority on the establishment of comprehensive terms of reference (TOR) for the Ethics Office and the completion of the Office's strategy. Ethics related risks should also be incorporated into the Organization's corporate risk register, while human and financial resources should be re-assessed to enable the Office to achieve its Expected Results.
6. Finally, in IOD's view the establishment of a robust Financial Disclosure Policy and an update of the Policy on Protection against Retaliation (PaR) (up to-standards of the United Nations' PaR) are necessary steps to further enhance the Organization's Ethics Framework.

1. BACKGROUND

7. WIPO's Strategic Realignment Program (SRP)¹, which was launched by the Director General in 2008, was aimed at enhancing the Organization's responsiveness, efficiency and capacity to achieve its Strategic Goals and provide global leadership on IP issues. The SRP was formulated around four core values:



8. Establishing a comprehensive ethics and integrity system, is one of the key initiatives attached to the core value of Environmental, Social and Governance Responsibility.

9. WIPO's Ethics Framework regroups the set of regulations and rules, policies and guidelines defining the values and principles, and guiding the ethical behavior of WIPO personnel. This framework is an essential component of WIPO's control environment and ensuring that it operates as intended is essential for the Organization. A key ethics risk for WIPO is the loss of effectiveness resulting from third parties' perception that the Organization is not functioning in an ethical manner.

10. IOD conducted an audit of the Ethics Framework at WIPO in accordance with its oversight plan for 2016.

A. OBJECTIVES

11. The objectives of this audit were to:

- (a) Assess the appropriateness of the design, structure and objectives of WIPO's Ethics Framework (EF);
- (b) Gauge the EF effectiveness, in terms of quality and comprehensiveness of implementation of legal and ethics related metrics;
- (c) Carry out an institutional analysis of the EF, with special focus on the organizational positioning of the Ethics Office;

¹ The Program ran from 2008 to 2012

- (d) Compare WIPO's EF to a benchmark of UN and other International Organizations, in order to identify good practices and opportunities for enhancement; and
- (e) Review the effectiveness of implementation of Ethics related policies, such as Protection against Retaliation, Financial Disclosure and the Declaration of Interests.

B. SCOPE AND METHODOLOGY

12. The audit covered all relevant components of the existing ethics framework, including structure, policies, procedures and practices; and reviewed ethics related data between 2014 and 2016. The following method was applied:

- (a) Ascertaining the extent to which the current EF appropriately covers all areas of WIPO's work, focusing on issues related to integrity in the workplace, including:
 - (1) Disclosures of conflict of interest, integrity of information and use of the Organization's property;
 - (2) Litigation and investigations;
 - (3) Practices concerning gifts, entertainment and gratuities;
 - (4) Accountability for compliance;
 - and (5) Penalties for violations.
- (b) Measuring the relative success of the Organization in achieving the EF objectives through its relevant policies and procedures;
- (c) Undertaking an Ethics-related assessment of risks faced by the Organization, expressed in terms of risk-inducing events, their likelihood and estimated impact;
- (d) Interviewing stakeholders², to assess the EF design, implementation, and effectiveness, including related policies/guidelines;
- (e) Reviewing components of the EF Coordination and Communication Plan and its application to WIPO personnel and partners, including temporary staff, experts, and contractors; and
- (f) Gathering additional information through: (1) an internal electronic survey administered to WIPO employees, of which 247 responded to the survey questions; and (2) the external benchmarking survey of the United Nations System and Intergovernmental and International Non-Governmental Organizations filled by 31 Organizations including WIPO.

13. The audit was performed in accordance with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors (IIA). In particular, Standard 2110.A1 which requires that internal audit activity evaluate the design, implementation, and effectiveness of the organization's ethics-related objectives, programs, and activities based on the IIA guidelines and the International Professional Practices Framework (IPPF).

² Stakeholders can be individuals and entities, whose actions affect the Organization or are affected by the Organization's actions, objectives and policies. Some examples of stakeholders are directors, employees, member countries, suppliers, customers that file patents, staff associations, etc...

2. AUDIT RESULTS

A. DESIGN AND STRUCTURE OF THE ETHICS FRAMEWORK

14. A strong ethics culture, which includes a robust ethics program that sets expectations for acceptable behavior in conducting business within the organization and with external parties, is the foundation of good governance. This includes:

- (a) Effective oversight and strong tone-at-the-top;
- (b) Senior Management involvement and organization-wide commitment;
- (c) A customized code of conduct;
- (d) Timely follow-up and investigation of reported incidents;
- (e) Consistent disciplinary action for offenders;
- (f) Ethics training and communications;
- (g) Ongoing monitoring systems; and
- (h) An anonymous incident reporting.³

15. Senior Management has primary responsibility for promoting and exemplifying ethical behavior within the Organization. Ethics programs, no matter how well designed and executed, struggle to accomplish their purpose if staff members see management behave with questionable ethics or accept such behavior from others.

16. Indicatively, over 80 per cent of respondents to IOD's internal survey on ethics believe that "*WIPO managers demonstrate high ethical standards*".

(i) Main Components of the Ethics Framework

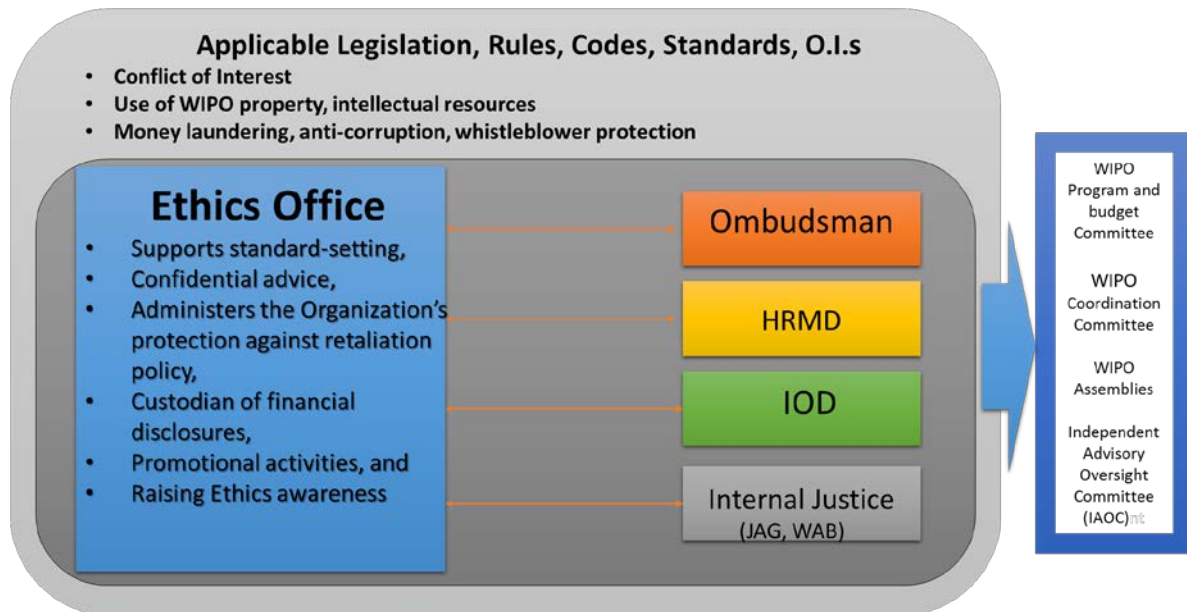
17. The Organization has availed itself of a number of inter-connected institutional units to implement the EF. In addition to the Senior Management Team (SMT), the EF has been implemented through an Ethics Office (EO) established in 2010 (OI/25/2010) and a number of internal stakeholders⁴.

18. These units work closely with the Human Resources Management Division (HRMD), and report on a regular basis to senior management, the WIPO Program and Budget Committee (PBC), the WIPO Coordination Committee (CoCo) and WIPO Assemblies. In addition, the Independent Advisory Oversight Committee (IAOC) advises and reviews the work of some of these stakeholders, such as the EO and IOD⁵.

³ www.globaliia.org/standards-guidance

⁴ Other internal stakeholders of the EF include: the Office of the Ombudsperson (OI/37/2014); the Internal Justice System including a Joint Advisory Group (OI 06/2015) and the WIPO Appeals Board (OI 43/2015); and the Internal Oversight Division (IOD).

⁵ Terms of Reference of the WIPO IAOC, as amended on October 14, 2015 (WIPO Financial Regulations and Rules Annex III)

Figure A: Components of the Ethics Framework at WIPO

19. The figure above illustrates the main roles of the EO, and the line of interactions with other units involved in the EF of the Organization. Each unit reports activities to one or more committees of WIPO.

20. The EF also operates on the basis of a comprehensive set of administrative and regulatory instructions, procedures and guidelines, as well as a number of codes and standards for ethical behavior established (mostly between 2011-2014), to support both the Financial and Staff Regulations and Rules.

21. The Framework further includes a number of instruments designed to promote a culture of ethics, fairness and equity within the Organization. These include institutional initiatives such as WIPO's Guide to a Respectful and Harmonious Workplace (issued in 2016), the Rewards and Recognition Program (OI 31/2015), and the Office Instruction on Workplace-Related Conflicts and Grievances (OI 7/2014).

22. Finally, there are built-in reporting mechanisms on metrics compiled by the various internal stakeholders of the framework, such as the annual reports from the Ethics and Ombudsperson Offices, as well as the annual report from the WIPO Appeal Board. The detail listing of policies, guidelines, instructions and reports that make up the components and control mechanisms of the EF is found in Annex V.

(ii) Benchmarking WIPO to the United Nations System and Other International Organizations

23. IOD carried out a benchmarking survey of relevant ethics related practices among the United Nations System and Other International Organizations in order to identify good practices and opportunities for enhancements. A total of 31 organizations (including WIPO) participated in the survey. The consolidated summary results of the survey are found in Annex II. The survey covered:

- (a) Design and Structure of the EF;

- (b) Communications and Reporting on Ethics;
- (c) Internal Control Mechanisms with the EF; and
- (d) Practices such as the Financial Disclosure and Declaration of Interests.

24. Overall, the characteristics of WIPO's EF fall within the norm of similar organizations and include common components such as: an Ethics Office and Code, an Ethics Training Program, an Annual Report, an External Oversight Committee, a Financial Disclosure process, and Protection against Retaliation mechanisms.

25. A majority of organizations have an Ethics Office that report to the Director General (or equivalent). Terms of office varied widely, with 30 per cent of organizations having no term limit or other specific arrangements. A majority of defined term limits fall within the five-year range (20 per cent fall between five years and 15 per cent two years). Around 25 per cent of respondents indicate that the terms of office are renewable once, against 55 per cent with no term limit.

26. The locus of access to filed financial disclosure statements is consistent with other responses: by the Ethics Office (61 per cent), with additional access to HRMD (25 per cent of responses) and Office of the Inspector General/Internal Oversight Division (32 per cent of responses).

27. Reporting and investigating harassment complaints and the determination of who has access to completed Financial Disclosure forms are also consistent with the general practice among participating organizations.

28. According to the survey, around 71 per cent of organizations have confidentiality policies and guidelines. Around 57 per cent of respondents require outside experts serving on committees to sign confidentiality statements, and 60 per cent require these experts to sign a declaration on conflict of interest. An even higher number of organizations request signed confidentiality statements (83 per cent) and conflict of interest statements (69 per cent) from their consultants or personal services agreement staff.

29. WIPO is part of the 31 per cent of organizations that do not require consultants to complete declarations on conflict of interest, and the 43 per cent whose outside experts serving on committees are not subject to confidentiality agreements.

B. GOVERNANCE

(i) The Ethics Office

30. The Ethics Office was established in June 2010 as an independent Office with its main role being to: ensure that staff members and other personnel observe – and perform their functions with – the highest standards of integrity through fostering a culture of ethics, transparency and accountability. This includes implementing a comprehensive ethics and integrity system, to support WIPO's core value of Environmental, Social and Governance Responsibility⁶.

31. A new Chief Ethics Officer was appointed in September 2015. Between August 2014 and the time of the appointment of a new incumbent, the Director General appointed an *ad interim* Ethics Officer.

32. Between 2010 and 2014, the Ethics Office reported to the Assistant Director General and Chief of Staff of the Office of the Director General⁷. Subsequently and in line with best practices in the UN System, the Ethics Office now reports directly to the Director General.

33. The table below outlines the number of requests for advice received by the Ethics Office in 2015:

Table 1: Requests for Advice Received - January to December 2015

Topic	Requests
Outside Activities	4
Gifts/Hospitality	1
Employment	3
Declaration of Interest/Investments	4
Conflict of Interest	3
Protection against Retaliation	1
Total	16

Source: 2015 Annual Report of WIPO Ethics Office

34. IOD makes the following observations:

- (a) **TOR of the Ethics Office** - No TOR was included in the Information Circular on the appointment of the Chief Ethics Officer. Furthermore, the administration of the Financial Disclosure and the Policy on PaR were not included in the vacancy announcement as part of the tasks of the Ethics Office. The absence of a comprehensive TOR would lead to confusion as to the roles and responsibilities of the Office, and impede its relevance.
- (b) **Resource** - The Ethics Office does not currently have support staff to help manage sensitive and confidential information. A dedicated staff would provide additional assurance that sensitive data is not shared outside the sphere of the Office.

⁶ Part of the initiatives under WIPO's Strategic Realignment Program

⁷ Office Instruction 25/2010.

(ii) Ethics Related Risks

35. Risk⁸ management is an essential activity that has to be performed throughout the lifecycle of WIPO Program activities. The review of the risk registers⁹ indicates that ethics-related risks have not yet been fully identified and included in the corporate risk registers. For example, the Ethics Office's risk register currently indicates one risk- Inadequate functioning of the ethics and integrity system - described as lack of awareness of ethics and integrity principles and policies; failure to apply principles, values and policies to decision-making and conduct.

36. Failing to effectively capture and monitor ethics related risks may lead to inefficient and ineffective management of these keys risks. The table below outlines a number of key cross-cutting risk inducing events and related likelihood and potential impact¹⁰. These risks could materialize through actions taken by both internal and external stakeholders (i.e. WIPO staff, suppliers, clients, etc.)

Table 2: Potential Cross-Cutting Ethics Related Risks

Risk-Inducing Events	Likelihood	Impact
(A) Conflict of interest, biased policy recommendations	High	High
(B) Confidential Information/leaking of commercial sensitive unpublished patent data	High	High
(C) Ineffective reporting system on misconduct/retaliation	Medium	High
(D) Abuse of power, discrimination, harassment, unethical behaviour of staff, absenteeism, interpersonal conflicts	High	High
(E) Fraud (Allowances, vendor favouritism, misuse of flexitime/clock)	Medium	High
(F) Unauthorized outside activities (financial or political interests)	Medium	Medium
(G) Unauthorized gifts, entertainment and gratuities	Low	Low

37. Identifying and effectively managing key ethics related risks would further enhance WIPO's ethics environment through timely identification and resolution of ethics related issues that could otherwise impact WIPO's reputation.

⁸ According to the IIA's International Standards, risk represents "the possibility of an event occurring that will have an impact on the achievement of objectives. Risk is measured in terms of impact and likelihood".

⁹ Program Risk Registers are created and managed in WIPO's Enterprise Risk Management System

¹⁰ The assessment of risk likelihood is based on the review of policies, processes and control mechanisms, as well as of their relative effectiveness; and impact is based on the estimated loss to the Organization caused by outside misperception that the Organization does not follow high ethical standards.

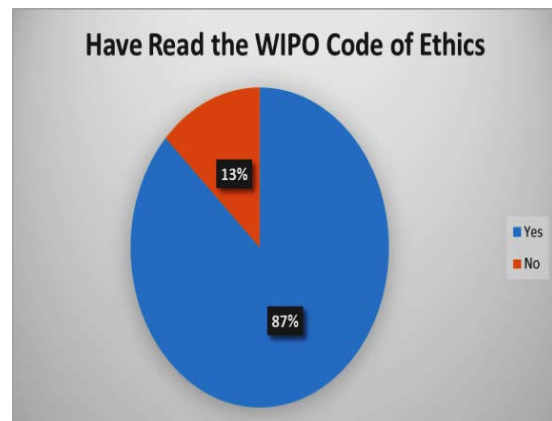
Recommendations

1. The Ethics Office, assisted by the Office of the Controller, should:
 - (a) Identify and manage key risks that are linked to the objectives and Expected Results of the Ethics Office;
 - (b) Periodically consult WIPO Senior Management Team, to be able to monitor and contribute to effective management of cross cutting ethics related risks.
(Priority: High)
2. The Ethics Office, Program Performance and Budget Division (PPBD) and Human Resources Management Department, as part of the work plan discussions, should assess the current resources against the future needs of the Office, in order to determine the appropriate level of resources needed by the Office to achieve its objectives and Expected Results. (Priority: High)
3. The Ethics Office should work with the relevant Units of the Organization, to prepare and publish its Terms of Reference. (Priority: Medium)

C. EFFICIENCY - POLICIES AND GUIDELINES OF THE ETHICS FRAMEWORK

(i) WIPO Code of Ethics

38. While the internal survey conducted with WIPO staff, indicates that a clear majority (87 per cent) of respondents have read the WIPO Code of Ethics, staff members are currently not required to attest to having read, understood and agree to comply with the Code.



39. Introducing an attestation that could be signed every two to three years would further reinforce visibility of, and commitment to ethics at WIPO.

(ii) Financial Disclosure and Declaration of Interests

40. The 2015 report of the Ethics Office indicates that following the implementation of the WIPO Policy on Financial Disclosure and Declaration of Interests (FDDI) in 2013, further work was undertaken to develop a new financial disclosure policy for senior staff and other designated members of staff.

41. This work was temporarily suspended in 2014, because the post of Chief Ethics Officer became vacant. This review, which was expected to resume in 2016, is still pending to date.

42. IOD identified the following key proposed changes made during the 2014 review of the Policy on FDDI.

Table 3: Changes under Consideration (since 2014) in the Draft Policy on FDDI

Components	Proposed Changes in Updated Draft Policy
Scope	Enhances linkage to Staff Regulations and Rules. Clarifies declaration components such as: all financial instruments, assets held for investments, and liabilities above 10 thousands Swiss francs, and sources of income above 1000 Swiss francs.
Definition	Expands and clarifies definition and terms used.
General Principles and confidentiality	Expands access to External Auditors if and when required. Outlines consequences of non-disclosure, and includes measures in case the Director General is subject of a conflict of interest
Coverage	Expands coverage to include staff in procurement, staff involved in investments activities, members of contract review committee and <i>ad hoc</i> committees, staff in evaluation teams, contract managers for contracts above 100 thousands Swiss francs, and staff who is considered to be in a position of conflict of interest.
Inclusions	Expands to include spouse, dependent children, and “close member of family”
International Public Sector Accounting Standards (IPSAS)	Includes IPSAS ¹¹ disclosure requirements
Reviewing Process	Introduces an external review and verification process

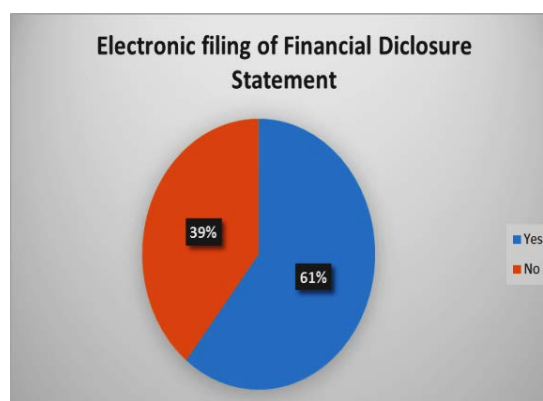
43. Going forward, the draft policy will need to be finalized, taking into consideration as applicable, any new developments in the UN System, and including:

- (a) Expanding “General Principles” provisions to include the Chief Ethics Officer in “Persons with Access to the Disclosure Statements”;
- (b) Assigning responsibility of the FDDI process to the Ethics Office, with only special cases brought to the Director General’s attention; and
- (c) Assessing the benefit of expanding participants to the financial disclosure program, to include additional functions from sensitive areas of the Organization (i.e. IOD, PCT, ICTD, and Madrid System).

44. Issuing an updated FDDI Policy that considers the appropriate balance between the need for information and staff members’ right to privacy, would provide an efficient and fit-for-purpose policy to effectively manage conflict of interest related risks.

45. Financial disclosures are filed manually, with sensitive documents deposited in a safe as well as scanned.

46. However, the benchmarking survey shows that, consistent with good practices, more organizations are filing financial disclosures electronically.



¹¹ IPSAS 20 – Related Party Disclosures

47. Identifying an efficient method to securely externalize the review of the disclosure statements, including exploring the possibility of launching a common tender with other Organizations within the UN system, could potentially save costs and further enhance efficiency.

(iii) Procurement and Declaration of Interests

48. Procurement activities at WIPO are carried out in consultation with Program Managers who can either suggest suppliers to be invited to bid and/or participate in the evaluation of the bids received. There are around 200 persons involved in procurement process within the Organization (e.g. setting up technical specifications, evaluation of tenders and contract management).

49. IOD makes the following observations:

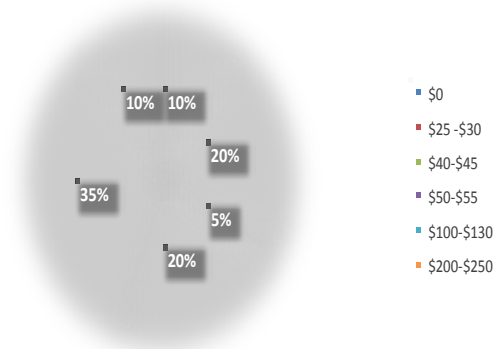
- (a) Although the Procurement and Travel Division's (PTD) implementation of a *Declaration of No Conflict of Interest/Confidentiality* for members of bids evaluation teams is a good control initiative, this declaration is not formally integrated in the Financial Disclosure Program of the Organization;
- (b) While members of the bid evaluation teams sign a Disclosure of Interest Statement, neither Program Managers who suggest suppliers, nor the Contract Managers are required to sign such statements;
- (c) Although Consultants and Individual Contractor Services contract holders sign a Confidentiality Statement, they are not required to sign a Declaration of No Conflict of Interest. Likewise, outside experts working on WIPO committees do not sign Declarations of No Conflict of Interest/Confidentiality; and
- (d) Members of the Contracts Review Committee (CRC) do not sign Declarations of No Conflict of Interest and there are currently no procedures in place that requires members of *ad hoc* Committees to do the same. PTD is in the process of establishing a Declarations of No Conflict of Interest for consultants.

50. Addressing the above conditions would further strengthen both the EF and procurement practices, by decreasing risks of unauthorized disclosure of confidential information, unethical behavior and fraud.

51. With regards to gifts, WIPO has set an organization-wide maximum nominal value for gifts of 200 Swiss francs through Office Instruction 2/2013 on Honors and Gifts.

52. In addition, the PTD has set a zero tolerance level for the acceptance of any form of gifts¹².

Maximum Nominal Values for Gifts



¹² Near year end (December), the PTD reminds all suppliers with whom WIPO has procured for 50 thousands Swiss francs or above during the previous year, that it is prohibited to send gifts to staff members.

53. The results of the benchmarking survey place WIPO in the top 10 per cent of Organizations with high nominal values for gifts. This is because the amount set by WIPO essentially considers the high cost of living in Geneva. However, the reasonableness of the current value needs to be assessed when applied to future locations of external Offices.

(iv) Protection against Retaliation (PaR) Policy

54. The Policy to Protect against Retaliation for Cooperating in an Oversight Activity or Reporting Misconduct or other Wrongdoing (“Whistleblower Protection Policy”) has been in effect at WIPO since November 2012. The principal purpose of this policy is to provide protection for staff members who have signaled misconduct, and reiterates the duty to report suspected wrongdoing in a responsible way. The Ethics Office is responsible for implementing the policy.

55. 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. Preliminary reviews serve as the basis for determining whether *prima facie* there is a case of retaliation, and for taking adequate measures to protect the staff member concerned.

56. In 2015, the Ethics Office concluded two preliminary reviews of requests for protection against retaliation that had been received and initiated in 2014. The Office further received and concluded one additional request received in 2015. In previous years, the Ethics Office, received and satisfactorily resolved one claim in 2012, and did not receive any claims in 2013¹³.

57. The table below compares requests received for protection from retaliation by other Organizations and Public entities¹⁴.

Table 4: Requests for Protection from Retaliation

Entity	Period	Request received	Requests Substantiated/ Including Post Investigation
WIPO	FY 2010-2015	14	0
United Nations	Aug 2006-July 2015	132	5
UNICEF	FY 2014	7	1*
International Labour Organization	FY 2015	0	0
World Food Program	2011-2014	18	1
World Bank Office of Ethics and Business Conduct	FY 2013	261	5
Swiss Federal Audit Office	FY 2014	64	2
US Office of the Specialist Counsel	FY 2014	4666	8

*Prima facie case of retaliation; investigation still ongoing at time of the report

¹³ WO/CC/71/3 REV and WO/CC/73/2- WIPO Ethics Office Annual Reports for 2014 & 2015

¹⁴ Annual Performance Reports/Annual Reports of the Ethics Offices from respective Organizations, and the UN Special-July-August 2016-The UN whistleblower protection policy-part II – by the Director of the UN Ethics Office

58. The table shows that WIPO's results are to some extent similar to that of other entities. Furthermore, various Organizations report that the low levels of substantiated cases are due, among other reasons, to an incorrect use of the PaR Policy, to report work place grievances. This suggests among others, the need to reinforce whistleblower policies, and/or further clarify and communicate on the proper channels for reporting workplace grievances.

59. While the content and design of WIPO's PaR Policy cover the key components found in policies of comparable Organizations, opportunities exist to further enhance the policy through a review that takes into consideration where applicable, recent developments in similar policies in the UN System¹⁵, and addresses the following points:

- a) Extending the current whistleblower protection coverage to include holders of Fellowships;
- b) Updating the PaR Policy to accurately reflect the Organization's current Justice System (i.e. the Joint Grievance Panel mentioned in the current policy has been dissolved and replaced); and
- c) Reviewing the definition of the Burden of Proof to ensure that it is aligned with good practices in the UN System and Other International Organizations.

60. Furthermore, making the PaR Policy publicly available would further enhance transparency and visibility.

61. Finally, WIPO Management interviewed during the audit, have expressed the need for a more detailed definition of the role and responsibilities of a "Whistleblower" in order to, avoid false claims, and help clarify the respective roles and responsibilities of all parties involved. IOD has been informed that a full review of the PaR Policy will be conducted¹⁶ in order to update and further enhance its efficiency and effectiveness.

Recommendations

4. The Ethics Office, in collaboration with the Office of the Controller, the Office of the Legal Counsel, and the Procurement and Travel Division, should finalize the Draft Policy on Financial Disclosure and Declaration of Interests. Elements to be given adequate consideration include: (a) further elaborating the general principles, the role of the Ethics Office, and coverage of the financial disclosure; (b) integrating the *Declaration of No Conflict of Interest/Confidentiality* of the Procurement and Travel Division; and (c) considering relevant developments in the UN System. (Priority: High)
5. The Ethics Officer, in collaboration with the Office of the Legal Counsel, should ensure that the review of the Protection against Retaliation Policy takes into consideration good practices from the UN System and Other International Organizations. (Priority: High)

¹⁵ The UN issued in January 2017 a policy on "the Protection against retaliation for reporting misconduct and for Cooperating with duly authorized audits or investigations", ST/SGB/2017/2

¹⁶ The Assemblies of the Member States of WIPO have formally requested the Secretariat to review the Organization's PaR – A/56/16, summary Report of decisions following the 21st Assemblies, October 2016

6. The Ethics Office should introduce a process which requires staff members to periodically sign a statement attesting that they have read and intend to abide by the WIPO Code of Ethics. (Priority: Medium)
7. The Ethics Office should work with the Department of Program Planning and Finance (DPPF) to identify cost effective opportunities to securely automate Financial Disclosure filing, and explore the possibility of externalizing the review of disclosure statements. (Priority: Medium)
8. The Ethics Office should work with the Office of the Controller and the Office of the Legal Counsel to assess the appropriateness and applicability of the current nominal values of acceptable gifts to WIPO External Offices. (Priority: Medium)

D. COMMUNICATIONS

(i) Communicating on Ethics

62. Communication is a key component in ensuring that staff behavior and conduct is aligned with the standards set by the Organization.

63. The ethics Office at WIPO has established an intranet site that includes:

- (a) The WIPO Code of Ethics;
- (b) The Guide to Ethics at WIPO (which includes a compilation of relevant WIPO policies and principles); and
- (c) Links to relevant resources and background information on ethics.

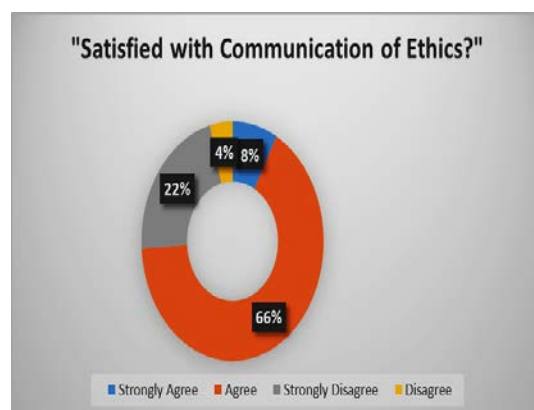
64. While the Ethics Office's intranet site is an essential element for communicating effectively on ethics, interviews with stakeholders indicate that staff are still finding it challenging to access clear and concise information. Furthermore, the Ethics Office does not currently have an internet website or webpage on the WIPO Public Site.

65. Updating the current intranet site and developing a website or webpage that is comparable to other organizations' websites/webpages would further enhance visibility and transparency.

66. While IOD's internal survey results suggest that ethics is fairly well communicated (74 per cent), some 26 per cent are not of the same opinion.

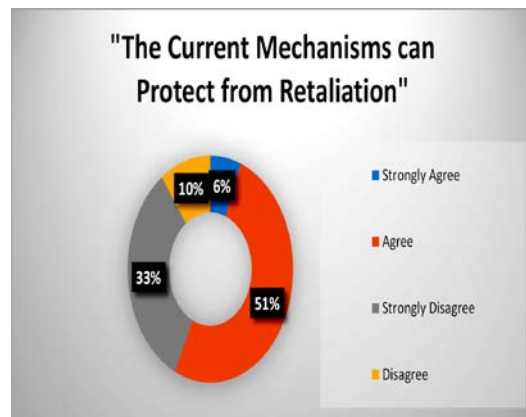
Survey Comments:

"Too much emphasis on prohibitions, sanctions".
Communication is "Top-down, uni-directional."



67. Furthermore, Managers interviewed during the review, highlighted both the need to better communicate on ethics, and the necessity to address the current perceptions of mistrust.

68. Also, according to IOD’s internal survey results, only 57 per cent of respondents believe that existing mechanisms can protect from retaliation, any person reporting suspected wrongdoing/misconduct.



69. Taking appropriate measures through better communication among others, to address current concerns would enhance effectiveness of the ethics framework.

(ii) Ethics Training

70. Since the launch of the WIPO Ethics and Integrity Policy in 2012, there has been mandatory ethics training for all staff at every level of the Organization. The training program is managed by the Ethics Office in close collaboration with the Performance and Development Section of the HRMD; and is done by external specialists. IOD’s internal survey results indicate that not all staff members attend the mandatory training on Ethics.

71. Around 70 per cent of respondent to IOD’s internal survey are aware that ethics training is available and 40 per cent are not aware that it is mandatory.



Survey Comment:
"Refresher sessions very much needed"

72. While 83 per cent have attended training on ethics, staff members who have not participated in ethics training indicate they had not been invited to attend. Other reasons cited are presented below:



73. Interviews with Program Managers and comments from the internal survey suggest that developing training material more specifically suited to WIPO’s needs would be more effective. This should include realistic examples of ethical dilemmas that may occur in day-to-day activities.

74. Likewise, although about 84 per cent of respondents to the internal survey feel that ethics training is effective, 19 per cent did not respond to this question. Consequently, in relative terms, only around 68 per cent of participants found ethics training effective.

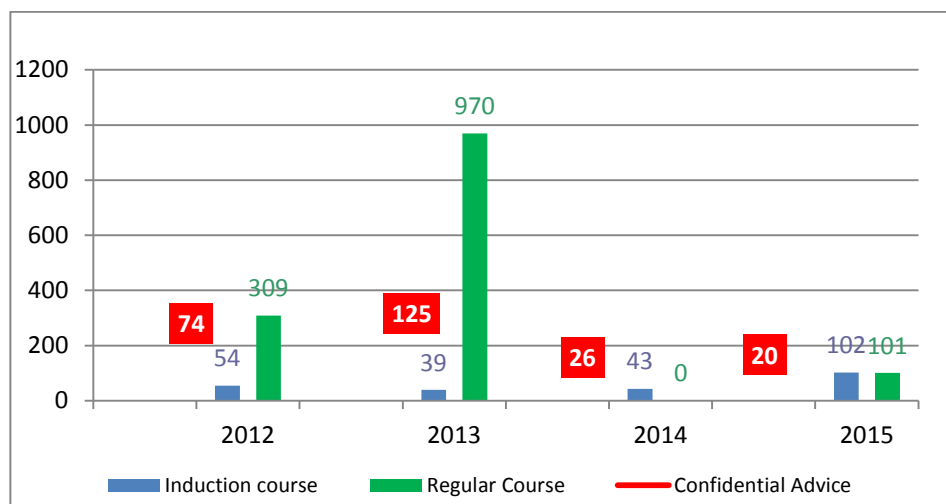


Survey Comment:
 "Training should be more relevant to WIPO context"

75. Some managers interviewed, also suggest that ethics training needs to be done more often to help further enhance a culture of respect in the work place. It is worth noting that 22 per cent of respondents were not satisfied with the frequency of training on ethics.

76. IOD observed a correlation between training activities on ethics and the increase in consultation of the Chief Ethics Officer. The table below show the numbers of confidential advice provided to staff members between 2012 and 2015 compared to training held in the same period.

Table 5: Trend - Ethics Training and Ethics Office Consultations



Source: Ethics Office Annual Reports from 2010 to 2015

77. As ethics awareness increases, staff members are more inclined to consult with the Ethics Office on concerns or for further information.

78. Finally, the survey of the UN system and Other International Organizations, show increased offer for both face-to-face training and e-learning.

79. Administering training through more than one channel will provide more flexible options and increase staff participation.



(iii) Cooperation among Internal Stakeholders of the Ethics Framework

80. Key internal stakeholders of the EF include: The Ethics Office, the Office of the Ombudsperson, HRMD, IOD, and the Internal Justice System. Cooperation among these stakeholders is vital for an effective ethics framework.

Figure B: Key Internal Stakeholders of the Ethics Framework



81. Interviews with these stakeholders and the results of IOD's internal survey suggest that the Organization does not currently derive full value from coordination and cooperation amongst stakeholders of the EF. An effective EF can contribute to a harmonious work environment, as well as help facilitate conflict resolution among others.

82. Going forward, the Ethics Office could add more value by working with other EF stakeholders to compile information on systemic issues which could be useful for training, raising awareness and communicating across the Organization.

83. For instance, the internal survey on the EF indicate that around 52 per cent of respondents do not know whether there is a "hotline" to report fraud or misconduct and only 33 per cent know how to use anonymous channels to report misconducts. Also, various comments from the survey suggest that staff members are more comfortable with informal reporting channels.



84. Further, 71 per cent of respondents feel that “confidential issues are properly safeguarded at WIPO”. However, 17 percent of respondents did not answer this question; hence in relative terms, only 59 per cent of respondents believe that confidential issues are properly safeguarded.



85. Increased cooperation and coordination among the stakeholders of the EF, to communicate, raise awareness and provide appropriate training, would enhance the overall efficiency and effectiveness of WIPO’s Ethics framework.

Recommendations

9. The Ethics Office should develop a biennial communication work plan which includes:
 - (a) production and dissemination of its outreach materials;
 - (b) Publication of an updated Ethics Guide;
 - (c) Organizing regular events for the overall promotion of an ethics culture; and
 - (d) Updating its intranet site and establishing an Ethics page on the WIPO Public Site.
(Priority: High)
10. The Ethics Office, in consultation with other stakeholders of the Ethics Framework, should develop regular training tailored to specific needs of the Organization.
(Priority: Medium)

E. EFFECTIVENESS OF THE ETHICS FRAMEWORK

(i) Gauging Effectiveness through Stakeholders of the Ethics Framework

86. A first assessment of the EF's effectiveness may be derived from the evolution of the IOD investigative caseload with respect to ethics-related issues, the evolution of disciplinary measures taken over the last three years, the report of the Ombudsperson, and the IAOC assessment of the effectiveness of the Ethics and Ombudsperson's Offices. The internal WIPO survey provides additional insights.

87. **IOD's investigative** caseload has progressed between 2012 and 2016, and cases closed have likewise increased during the same period. The table below details types of cases received between 2012 and 2016.

Table 6: Analysis of complaints received - 2012 to 2016

Category	2012	2013	2014	2015	2016
Abuse of work time	1	3	1	6	1
Benefits and Entitlements Fraud	3	1		2	2
Harassment/Discrimination/Abuse of Authority	3	5	7	8	5
Irregular HR practices	4	4	1	2	1
Misuse of ICT resources	1		1	1	-
Other fraudulent, corrupt or abusive practices	1	1	3	6	11
Statements, pronouncements and activities incompatible with the obligations of an international civil servant	4	3	4	1	8
Unauthorized communication of information	3	3	3	3	1
Wrongdoing by candidate during recruitment selection process	1		1	3	1
Grand Total	21	20	21	32	30

Source: IOD

88. Regarding the locus of institutional responsibility for ethics-related complaints and investigations of harassment, the survey of the UN system and Other International Organizations shows that WIPO is well within the norm, with Internal Oversight receiving and investigating complaints¹⁷, as is the case for the majority of participating organizations.

89. **HRMD** dealt with 13 disciplinary cases between the end of 2013 and mid-2016. Seven cases resulted in dismissal, three in reprimands or other disciplinary measures, and three are pending. Types of misconduct included abuse of flexi-time or working schedule, fraud or misuse of WIPO property.

¹⁷ Human Resources also receive complaints in most of the surveyed organizations

90. **The WIPO Appeal Board (WAB)** dealt with 27 appeal cases in 2014 and 26 cases in 2015. The outcomes are summarized in the table below:

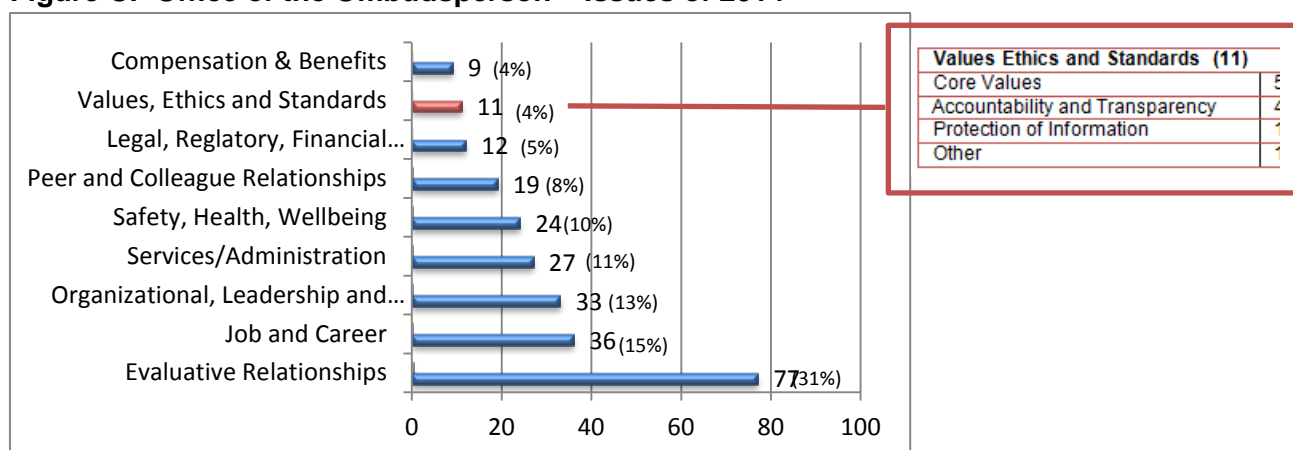
Table 7: Outcomes of Appeal Cases Completed by the WAB

Outcome	Cases in 2014		Cases in 2015	
	Cases	Percentage	Cases	Percentage
WAB Recommendations adopted by the Director General (DG)	12	44%	13	50%
WAB recommendations partially adopted by the DG	6	22%	7	26%
WAB recommendations not adopted by the DG	3	11%	2	8%
Case transmitted to HRMD as a request for review	4	15%	0	0%
Case Dismissed by the WAB	1	4%	2	8%
Settlement reached between appellant and the Administration	1	4%	2	8%
Total	27	100%	26	100%

Source: Annual Reports of the WAB

91. **The Office of the Ombudsperson** received 98 visitors for a total of 248 issues during 2014. The graph below illustrates the distribution of issues across nine categories.

Figure C: Office of the Ombudsperson – Issues of 2014



Source: 2014 Report of the Ombudsperson

92. Furthermore, the report of the interim Ombudsperson¹⁸ had identified conditions that could impede the effectiveness of conflict management activities and potentially affect WIPO's ethics culture. Some of these issues are:

- (a) More emphasis being put on legalistic conflict resolution, rather than on informal resolution;
- (b) Insufficient communication through dialogue; and
- (c) Need for stronger leadership and conflict resolution skills, among some managers.

¹⁸ An Interim Ombudsperson was contracted between November 2015 to April 2016

93. Although some measures have been taken, for instance to provide training on conflict management for which over 633 staff members attended, more effort is needed to foster an environment of communication and informal resolution, as well as to ensure that trainings have a positive impact on WIPO's work environment.

(ii) Reporting and Monitoring Performance

94. Effective monitoring and reporting mechanisms help ensure that the ethics framework and related policies and procedures, are functioning as intended.

95. **Activity Report** - The Ethics Office reported its activities through the Human Resources Report to the Coordination Committee from 2010 to 2013. In 2014, the Ethics Office started reporting its activities directly to the WIPO Assembly. In 2015, WIPO Member States expanded the mandate of the IAOC¹⁹ to review and advise the Ethics Office. Subsequently, at its 41st session, the IAOC asked the Ethics Office to prepare its annual work plan in a different structure.

96. **Reporting Tool** - The Ethics Office has developed a database to record data that is subsequently used for reporting purposes. However, this tool is unable to generate reports automatically, resulting in a time consuming process. Enhancing the current database to include reporting features would increase efficiency of the reporting process.

97. **Performance indicator (PI)** - Although the Ethics Office has identified a PI - percentage of survey respondents being aware of WIPO ethics principles and policies, more can be done to further refine the existing PI, and identify new relevant indicators aligned with the key objectives and the Expected Result²⁰ of the Ethics Office.

98. For reference, the Core Values Staff Survey administered between 2010 and 2012, was used to capture perception, knowledge and awareness of WIPO ethics principles.

(iii) Gender Mainstreaming

99. WIPO has endorsed the UN System-Wide Action Plan (UN-SWAP) for Implementation of the Chief Executive Board (CEB) Policy on Gender Equality and the Empowerment of Women²¹. The objective of this plan is to mainstream gender at all levels of the UN System both at institutional and programmatic levels by 2017.

100. More can be done to integrate gender sensitive metrics when reporting on the activities of the Ethics Office, in order to provide gender disaggregated data, and further support the Organization's gender mainstreaming objectives.

¹⁹ Terms of Reference of the WIPO Independent Advisory Oversight Committee, as amended on October 14, 2015 (WIPO Financial Regulations and Rules Annex III)

²⁰ Expected Result XI.3: "enabling working environment supported by an effective regulatory framework and appropriate channels to address staff concerns".

²¹ Chief Executive Board Policy on Gender and the equality of Women (CEB/2006/2)

Recommendations

11. The Ethics Office should work with the Information Communications and Technology Department to develop reporting features for the Office's database; including features to report on gender sensitive metrics (i.e. gender disaggregated reporting).
(Priority: Medium)
12. The Ethics Office and the Program Performance and Budget Division should:
 - (a) Identify additional relevant Performance Indicators aligned with the objectives of the Office; and
 - (b) Develop periodic (i.e. biennial) staff surveys to capture data for reporting on these indicators.
(Priority: High)

ACKNOWLEDGMENT

IOD wishes to thank all relevant members of staff for their assistance, cooperation and interest during this assignment.

Prepared by: Alain Garba, and Maria Abreu, External Consultant

Reviewed by: Tuncay Efendioglu

Approved by: Rajesh Singh

TABLE OF RECOMMENDATIONS

No	Recommendations	Priority	Person(s) Responsible	Other Stakeholders	Management Comments and Action Plan	Deadline
1.	<p>The Ethics Office, assisted by the Office of the Controller, should:</p> <p>(a) Identify and manage key risks that are linked to the objectives and Expected Results of the Ethics Office;</p> <p>(b) Periodically consult WIPO Senior Management Team, to be able to monitor and contribute to effective management of cross cutting ethics related risks.</p>	High	Ethics Office	Office of the Controller	<p>A strategy will be designed to address all recommendations from the audit. The strategy will include a list of actions to be taken and/or products to be developed, by whom, and by what date (timeline for implementation).</p> <p>In close collaboration with the Office of the Controller, key risks will be identified. The appropriate ERM/ other reporting procedures will be agreed upon;</p> <p>In collaboration with the Chief of Staff, a calendar of meetings will be developed; The Ethics Office will also reach out to members of the SMT to this effect.</p>	March 2018
2.	<p>The Ethics Office, Program Performance and Budget Division and Human Resources Management Department, as part of the work plan discussions, should assess the appropriate level of resources needed by the Office to achieve its objectives and Expected Results.</p>	High	Ethics Office	PPBD HRMD	<p>A needs-assessment will be drafted and discussed with the Head of the Program of which the Ethics Office forms part (Program 21), as well as the other relevant offices. All feasible options will be explored. A target date for meeting the objective will be set.</p>	Feb 2018

No	Recommendations	Priority	Person(s) Responsible	Other Stakeholders	Management Comments and Action Plan	Deadline
3.	The Ethics Office should work with the relevant Units of the Organization, to prepare and publish its Terms of Reference.	Medium	Ethics Office		Action will be taken in line with applicable procedures.	Dec 2017
4.	The Ethics Office, in collaboration with the Office of the Controller, the Office of the Legal Counsel, and the Procurement and Travel Division, should finalize the Draft Policy on Financial Disclosure and Declaration of Interests. Elements to be given adequate consideration include: (a) further elaborating the general principles, the role of the Ethics Office, and coverage of the financial disclosure; (b) integrating the <i>Declaration of No Conflict of Interest/Confidentiality</i> of the Procurement and Travel Division; and (c) considering relevant developments in the UN System.	High	Ethics Office	Office of the Controller Office of the Legal Counsel Procurement and Travel Division	Action will be taken in line with applicable procedures and in collaboration with the appropriate officials and/or offices. A list of actions to be taken, by whom, and by what date (timeline for implementation) towards putting in place the Policy, will be established.	Feb 2018
5.	The Ethics Officer, in collaboration with the Office of the Legal Counsel, should ensure that the review of the Protection against Retaliation Policy takes into consideration good practices from the UN System and Other International Organizations.	High	Ethics Office	Office of the Legal Counsel	Appropriate action is being taken to conduct the review, in collaboration with Office of the Legal Counsel	Dec 2017

No	Recommendations	Priority	Person(s) Responsible	Other Stakeholders	Management Comments and Action Plan	Deadline
6.	The Ethics Office should introduce a process which requires staff members to periodically sign a statement attesting that they have read and intend to abide by the WIPO Code of Ethics.	Medium	Ethics Office	HRMD	<p>Action will be taken in line with applicable procedures and in collaboration with the appropriate officials and/or offices.</p> <p>A list of actions to be taken, by whom, and by what date (timeline for implementation), will be established.</p>	July 2018
7.	The Ethics Office should work with the Department of Program Planning and Finance to identify cost effective opportunities to securely automate Financial Disclosure filing, and explore the possibility of externalizing the review of disclosure statements.	Medium	Ethics Office	DPPF	<p>Action will be taken in line with applicable procedures and in collaboration with the appropriate officials and/or offices.</p> <p>A list of actions to be taken, by whom, and by what date (timeline for implementation) towards putting in place the Policy, will be established.</p>	July 2018
8.	The Ethics Office should work with the Office of the Controller and the Office of the Legal Counsel to assess the appropriateness and applicability of the current nominal values of acceptable gifts to WIPO External Offices.	Medium	Ethics Office	<p>Office of the Controller</p> <p>Office of the Legal Counsel</p>	Appropriate action will be taken to conduct the assessment, in collaboration with the Office of the Controller and the Office of the Legal Counsel	Dec 2018

No	Recommendations	Priority	Person(s) Responsible	Other Stakeholders	Management Comments and Action Plan	Deadline
9.	<p>The Ethics Office should develop a biennial communication work plan which includes:</p> <ul style="list-style-type: none"> (a) Production and dissemination of its outreach materials; (b) Publication of an updated Ethics Guide; (c) Organizing regular events for the overall promotion of an ethics culture; and (d) Updating its intranet site and establishing an Ethics page on the WIPO Public Site. 	High	Ethics Office	DPPF ICTD	<p>Action will be taken in line with applicable procedures and in collaboration with the appropriate officials and/or offices.</p> <p>A list of actions to be taken, by whom, and by what date (timeline for implementation) towards putting in place the communication plan, will be established.</p>	Dec 2018
10.	<p>The Ethics Office, in consultation with other stakeholders of the Ethics Framework, should develop regular training tailored to specific needs of the Organization.</p>	Medium	Ethics Office	HRMD IOD WAB Ombudsperson	<p>Action will be taken in line with applicable procedures and in collaboration with the appropriate officials and/or offices.</p> <p>A list of actions to be taken, by whom, and by what date (timeline for implementation) towards putting in place training programs, will be established.</p>	Dec 2018

No	Recommendations	Priority	Person(s) Responsible	Other Stakeholders	Management Comments and Action Plan	Deadline
11.	The Ethics Office should work with the Information Communications and Technology Department to develop reporting features for the Office's database; including features to report on gender sensitive metrics (i.e. gender disaggregated reporting).	Medium	Ethics Office	ICTD	In collaboration with ICTD, action will be taken to adapt the existing system.	July 2018
12.	<p>The Ethics Office and the Program Performance and Budget Division should:</p> <p>(a) Identify additional relevant performance indicators aligned with the objectives of the Office; and</p> <p>(b) Develop periodic (i.e. biennial) staff surveys to capture data for reporting on these indicators.</p>	High	Ethics Office	PPBD	Appropriate action will be taken towards this end, in collaboration with PPBD.	July 2018

LIST OF ANNEXES

ANNEX I	Risk rating and priority of audit recommendations
ANNEX II	Consolidated result of the survey to WIPO staff members
ANNEX III	Consolidated result of the benchmarking survey to un and other international organizations
ANNEX IV	WIPO responses to the benchmarking survey to un and other international organizations
ANNEX V	Ethics-related policies, instructions and reports

[Annexes follow]

ANNEX I: RISK RATING AND PRIORITY OF AUDIT RECOMMENDATIONS

The risk ratings in the tables below are driven by the combination of likelihood of occurrence of events and the financial impact or harm to the Organization's reputation, which may result if the risks materialize. The ratings for audit recommendations are based on the control environment assessed during the audit.

Table 1.1: Effectiveness of Risks/ Controls and Residual Risk Rating

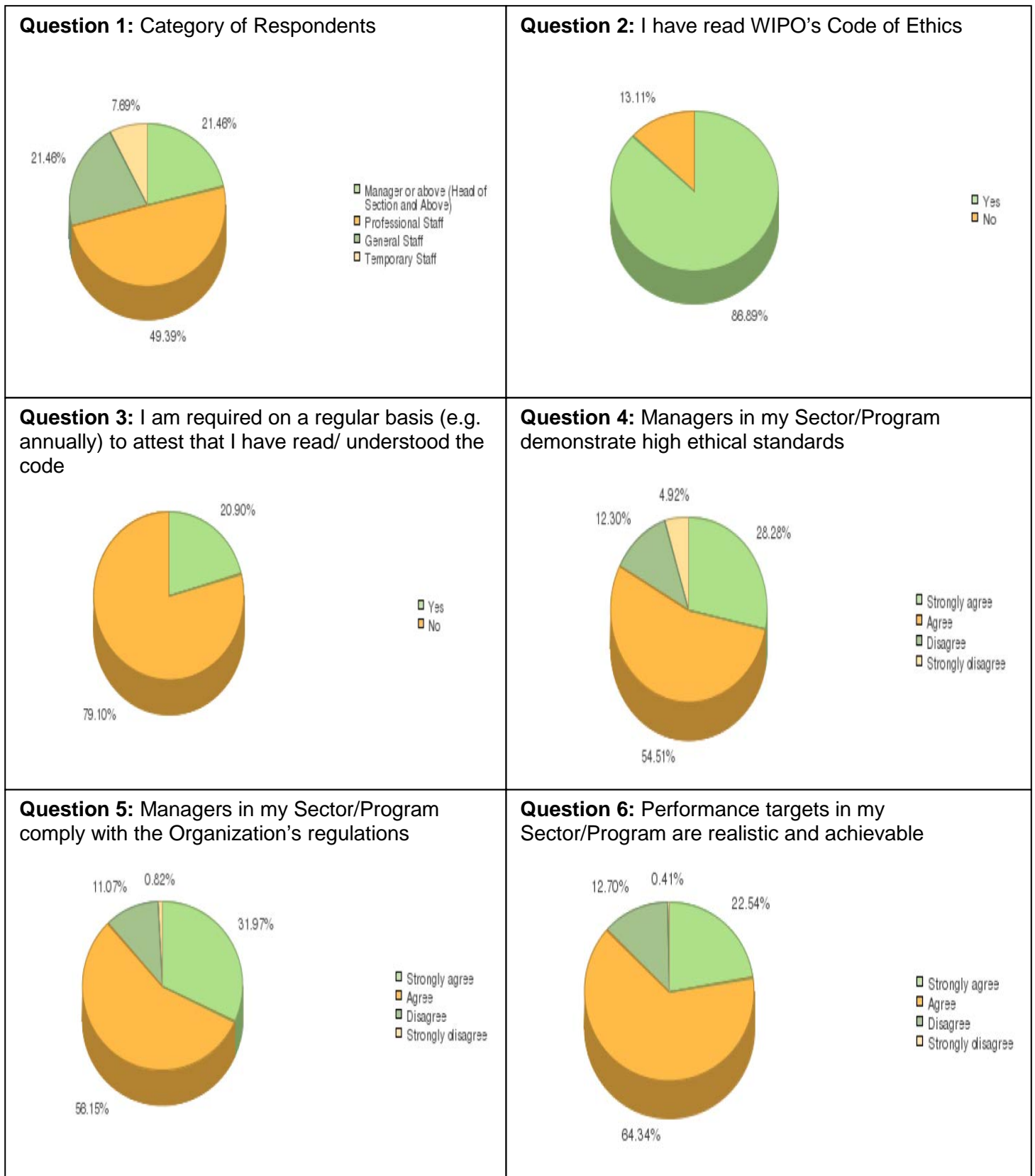
		Compound Risk Rating (Likelihood x Impact)			
		Low	Medium	High	Very High
Control Effectiveness	Low	Low	Medium	High	Very High
	Medium	Low	Medium	High	High
	High	Low	Low	Medium	Medium

Table 1.2: Priority of Audit Recommendations

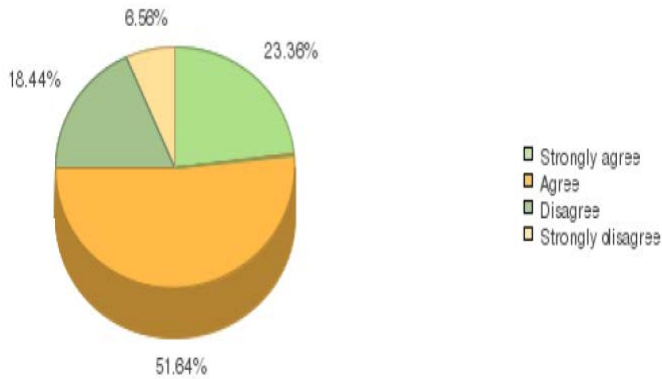
Priority of Audit Recommendations	Residual Risk Rating
Requires Immediate Management Attention	Very High
Requires Urgent Management Attention	High
Requires Management Attention	Medium
Routine in Nature	Low

[Annex II follows]

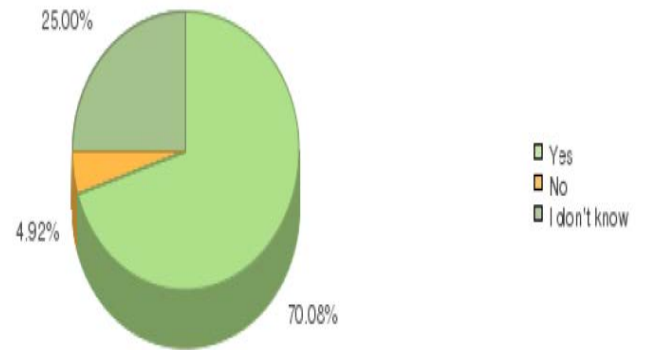
ANNEX II: CONSOLIDATED RESULT OF THE SURVEY TO WIPO STAFF MEMBERS
WIPO Staff Participants: 247



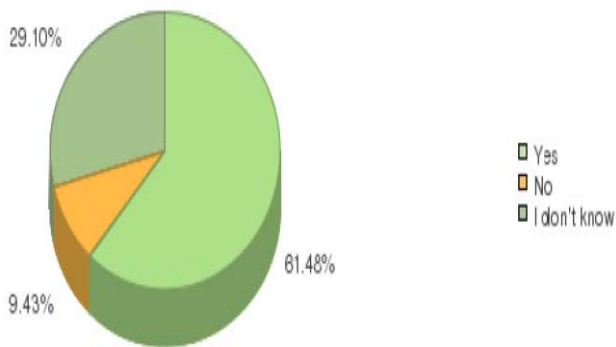
Question 7: Personnel and temporary staff in my Sector/Program are treated fairly and justly



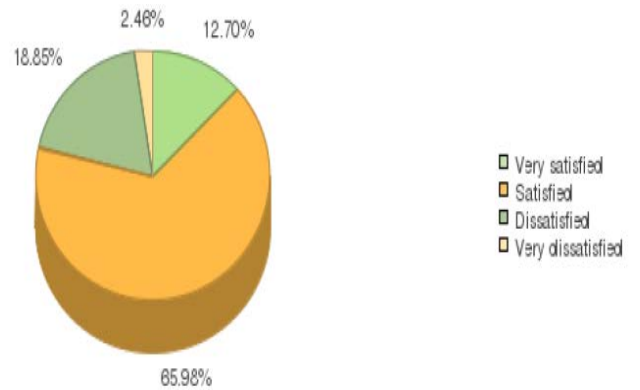
Question 8: Ethics training is available



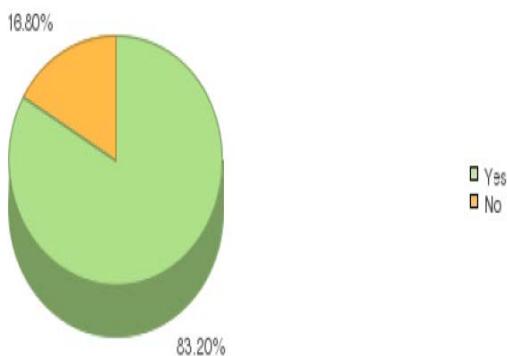
Question 9: Ethics training is mandatory



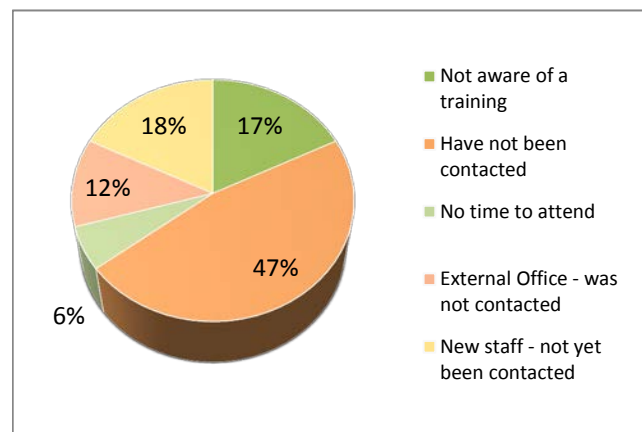
Question 10: I am satisfied with the current frequency of training on Ethics



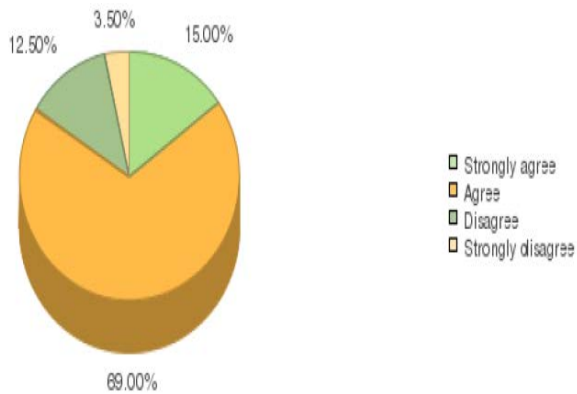
Question 11: I have attended ethics training or/and an induction course on ethics



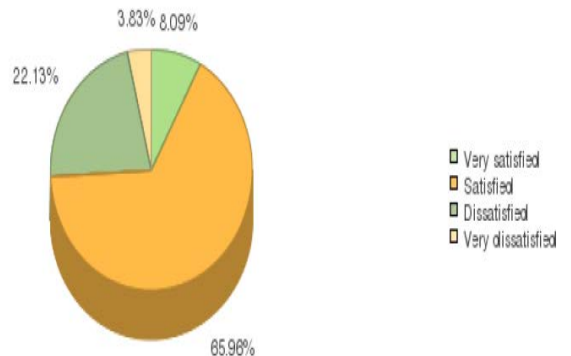
Question 11.a: If no, Please provide a reason



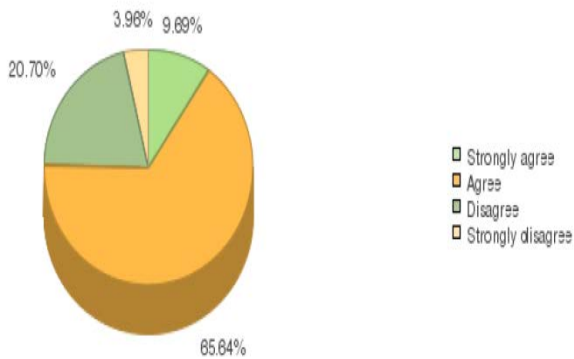
Question 11.b: If yes, the training was effective



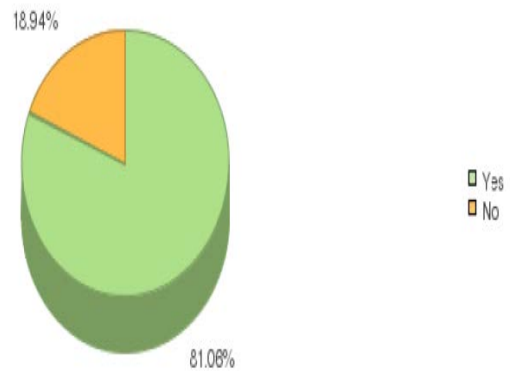
Question 12: I am satisfied with the way Ethics is communicated within the Organization



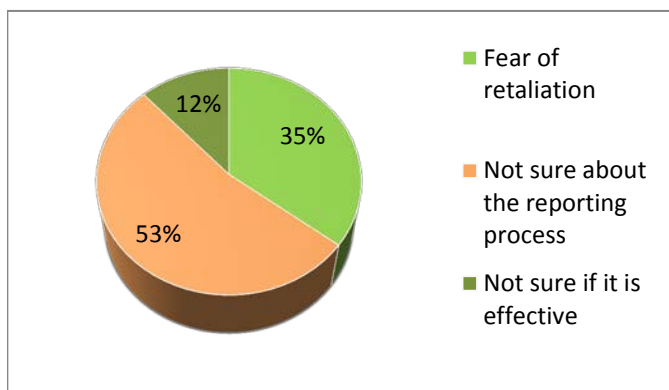
Question 13: There are effective processes in place whereby personnel or temporary staff who do not observe the Organization's regulations are likely to be discovered /disciplined



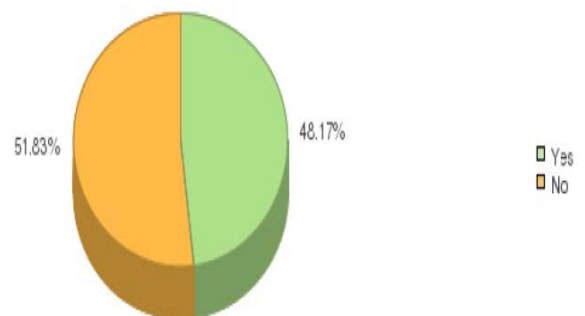
Question 14: I have access to official communication channels to report suspected fraud or alleged misconduct



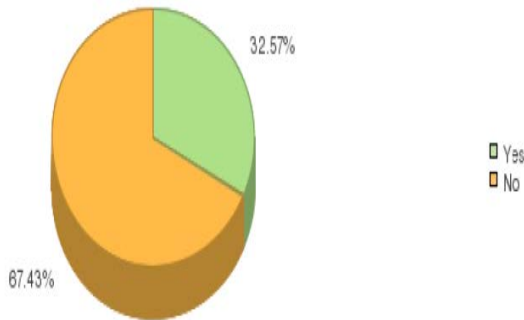
Question 14.a: Comments on the official communication channels for reporting fraud or alleged misconduct



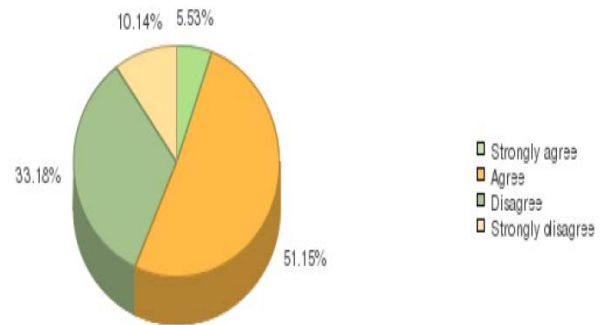
Question 15: I am aware that the organization has a hotline for reporting suspected fraud or alleged misconduct anonymously



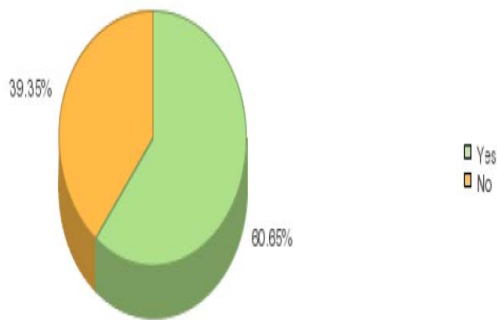
Question 16: I know how to use the anonymous channel currently in place to report suspected fraud or alleged misconduct



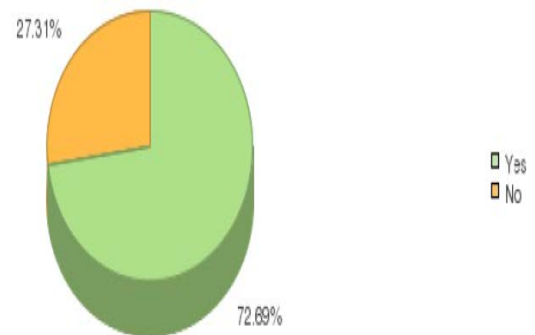
Question 17: The current mechanisms protect from retaliation, persons who report suspected improprieties



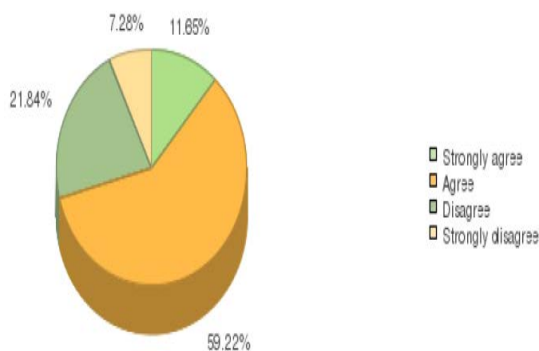
Question 18: I know how to report potential or actual conflicts of interest



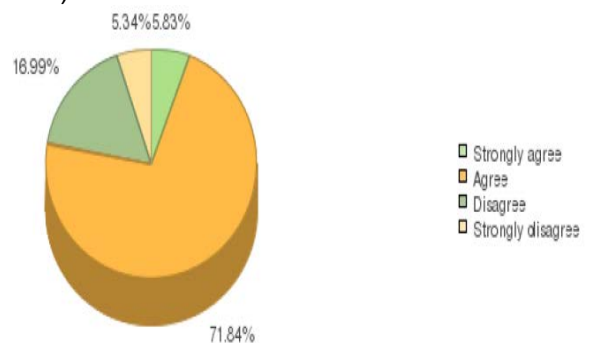
Question 19: I know how to resolve potential or actual conflicts of interest regarding my activities

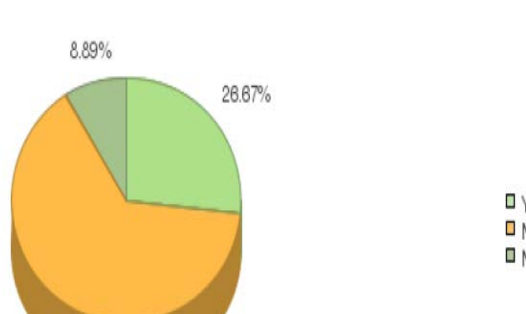
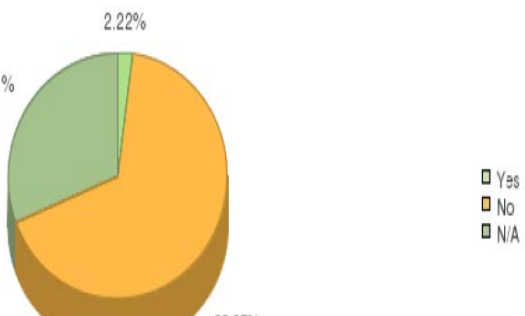
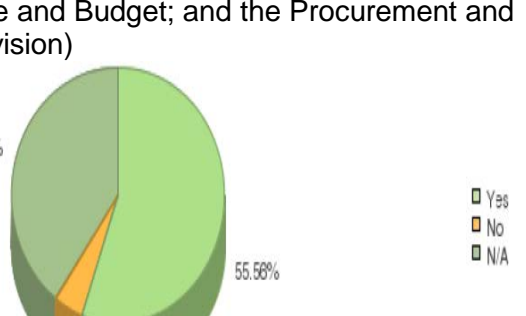


Question 20: Confidential issues are properly safeguarded at WIPO



Question 21: The mechanism currently in place is likely to discover/discipline personnel or temporary staff defrauding the Organization (physical or intellectual property, money, data, and other resources)

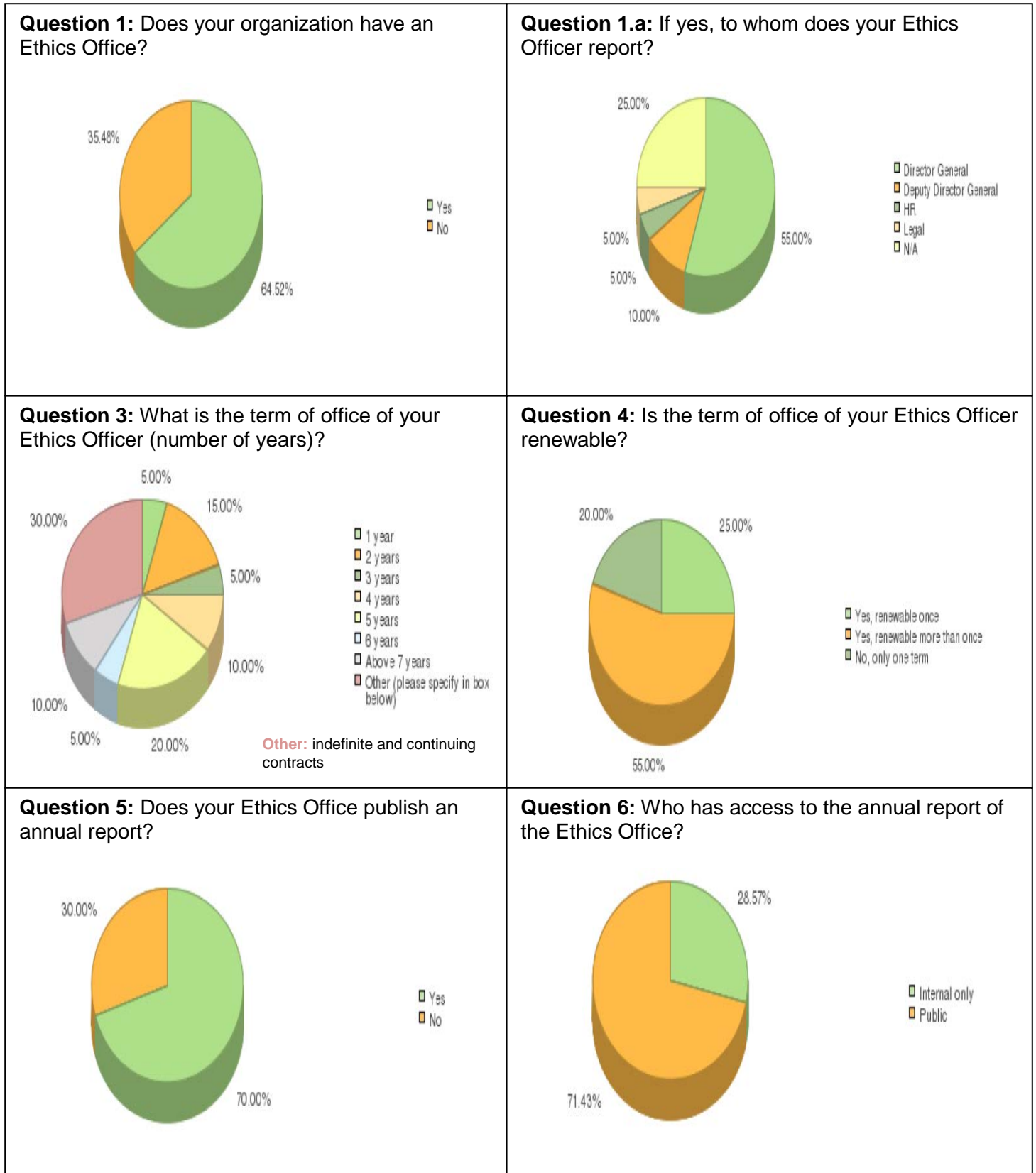


<p>Question 22: I am aware that potential conflicts of interest exist in my area of work</p>  <table border="1"> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>57.77%</td> </tr> <tr> <td>No</td> <td>42.23%</td> </tr> </tbody> </table>	Response	Percentage	Yes	57.77%	No	42.23%	<p>Question 23: I am on the board of an organization active in areas related to WIPO's work</p>  <table border="1"> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>3.43%</td> </tr> <tr> <td>No</td> <td>96.57%</td> </tr> </tbody> </table>	Response	Percentage	Yes	3.43%	No	96.57%				
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<p>Question 24: I have other activities (with either financial or political interests) besides my work at WIPO</p>  <table border="1"> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>2.97%</td> </tr> <tr> <td>No</td> <td>97.03%</td> </tr> </tbody> </table>	Response	Percentage	Yes	2.97%	No	97.03%	<p>Question 25: I regularly discuss the Code of Conduct and other policies or regulations from the Organization Ethics Framework with my staff</p>  <table border="1"> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>26.67%</td> </tr> <tr> <td>No</td> <td>64.44%</td> </tr> <tr> <td>N/A</td> <td>8.89%</td> </tr> </tbody> </table>	Response	Percentage	Yes	26.67%	No	64.44%	N/A	8.89%		
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No	64.44%																
N/A	8.89%																
<p>Question 25.a: There are minutes from such discussions</p>  <table border="1"> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>31.11%</td> </tr> <tr> <td>No</td> <td>66.67%</td> </tr> <tr> <td>N/A</td> <td>2.22%</td> </tr> </tbody> </table>	Response	Percentage	Yes	31.11%	No	66.67%	N/A	2.22%	<p>Question 26: I have signed/updated my Declaration of Interests (Grade D1 and above; P-5 in the Human Resources Management Department; the Department of Finance and Budget; and the Procurement and Travel Division)</p>  <table border="1"> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>55.56%</td> </tr> <tr> <td>No</td> <td>4.44%</td> </tr> <tr> <td>N/A</td> <td>40.00%</td> </tr> </tbody> </table>	Response	Percentage	Yes	55.56%	No	4.44%	N/A	40.00%
Response	Percentage																
Yes	31.11%																
No	66.67%																
N/A	2.22%																
Response	Percentage																
Yes	55.56%																
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N/A	40.00%																

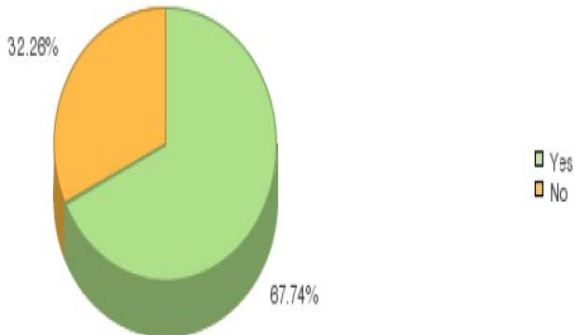
[Annex III follows]

ANNEX III: CONSOLIDATED RESULT OF THE BENCHMARKING SURVEY TO UN AND OTHER INTERNATIONAL ORGANIZATIONS

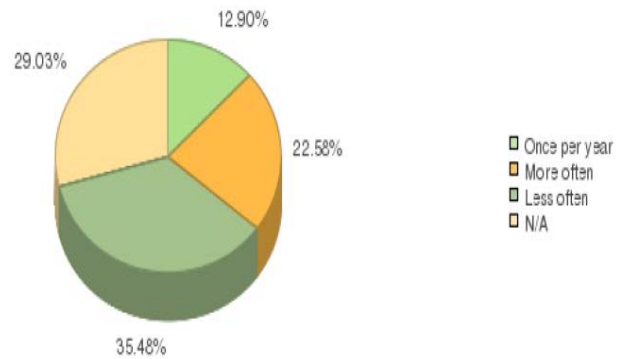
Participating Organizations: 31



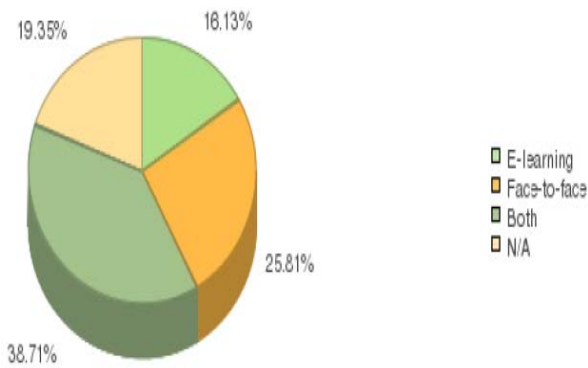
Question 7: Is ethics training mandatory in your organization?



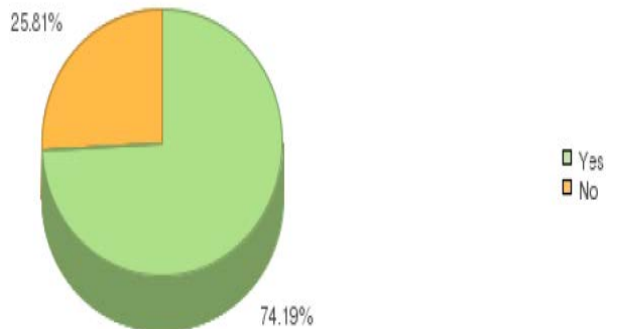
Question 8: How often is ethics training provided in your Organization?



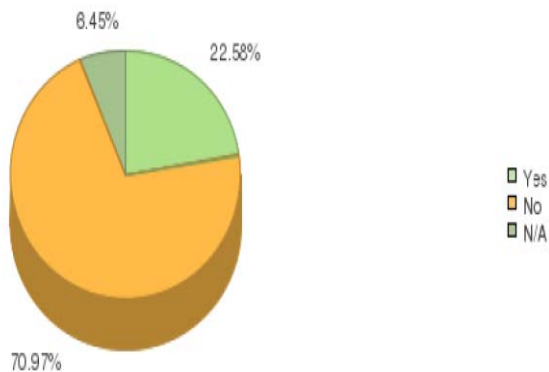
Question 9: Through which channel does ethics training take place in your Organization?



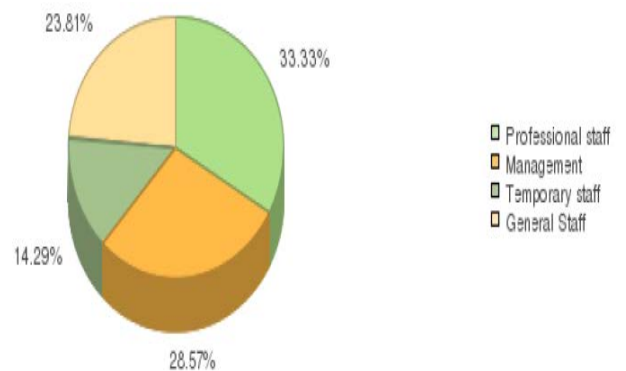
Question 10: Aside from the Standards of Conduct for the International Civil Service, do you have an Ethics Code?



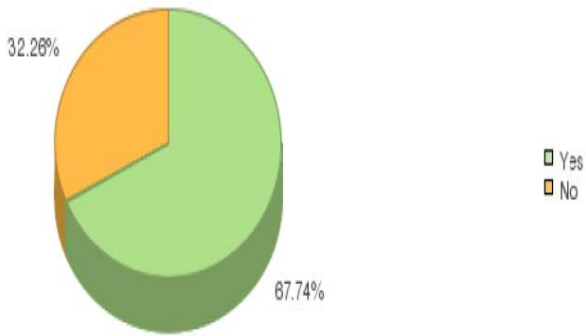
Question 11: Do staff members regularly certify that they have read and agree with the International Civil Servants Standard of Conduct/ Ethics Code?



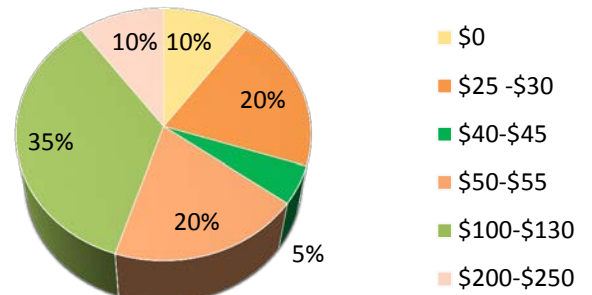
Question 11.a: To which staff members does this apply?



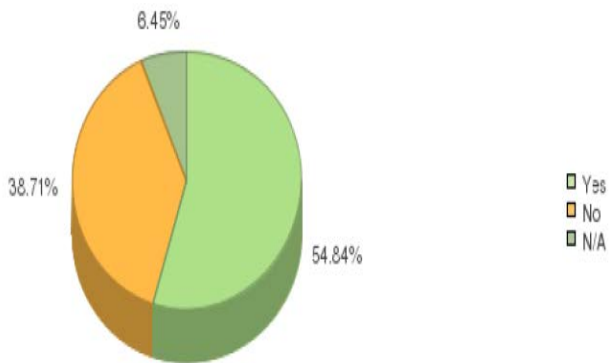
Question 12: Has your Organization set a nominal value for acceptance of gifts?



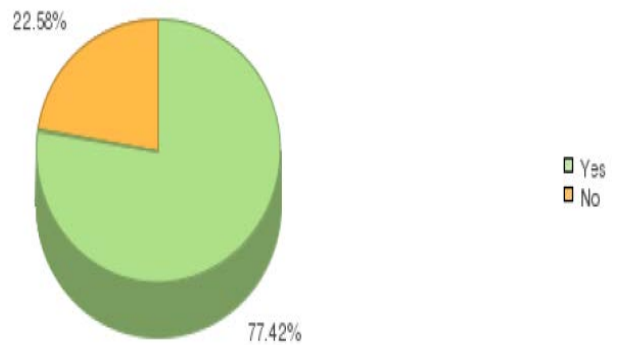
Question 12.a: If yes, what is that value (USD)?



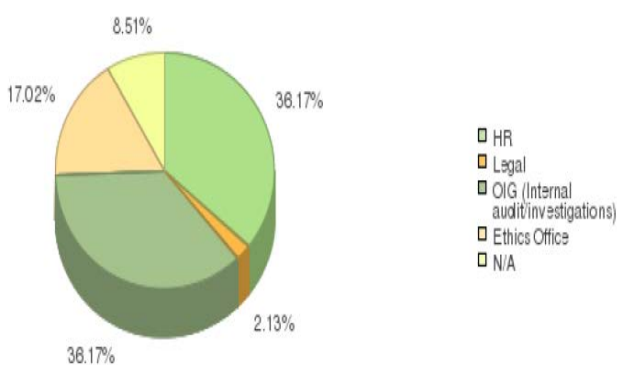
Question 13: Does the Organization /Ethics Office have a help-line to advice staff on rules or standards of conduct?



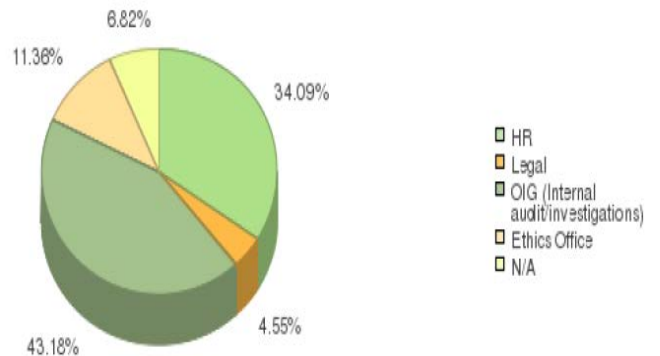
Question 14: Does your Organization have a hot-line to anonymously report fraud and/or misconduct?



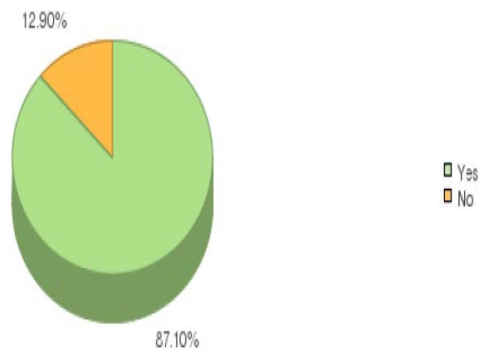
Question 15: Who receives complaints of harassment?



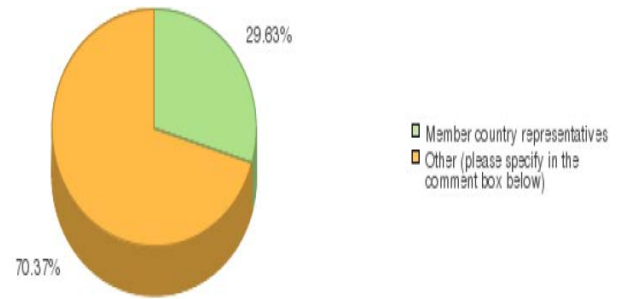
Question 16: Who investigates complaints of harassment?



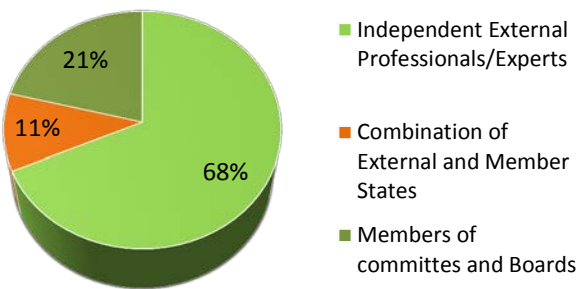
Question 17: Does your organization have an Audit/Oversight Committee?



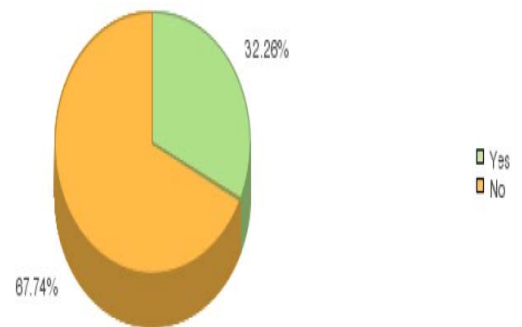
Question 17.a: If yes, what is the composition of the Committee?



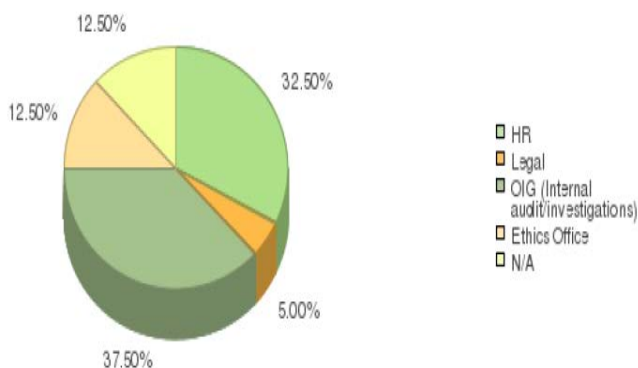
Question 17.b: Comments on the composition of the audit/Oversight Committee?



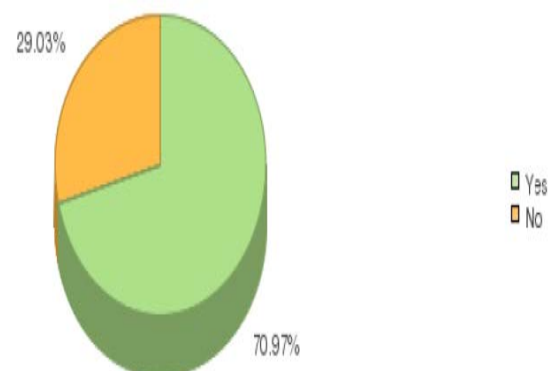
Question 18: Have you implemented as an internal rule, the UN Secretary-General's policy on sexual exploitation?



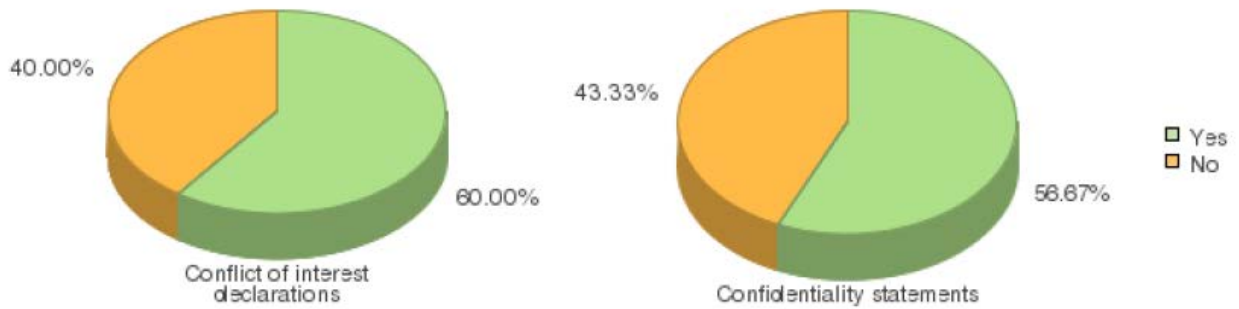
Question 19: Who is responsible for receiving complaints about, and investigating cases of sexual exploitation?



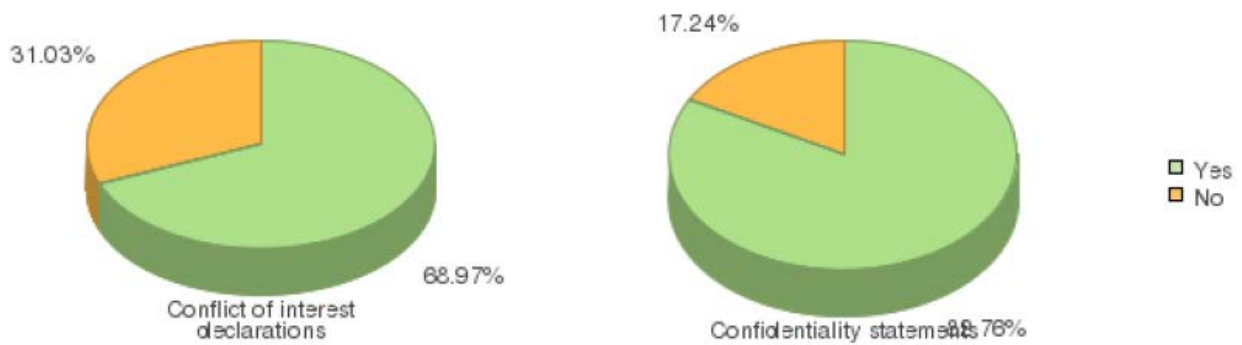
Question 20: Do you have a confidentiality policy and guidelines?



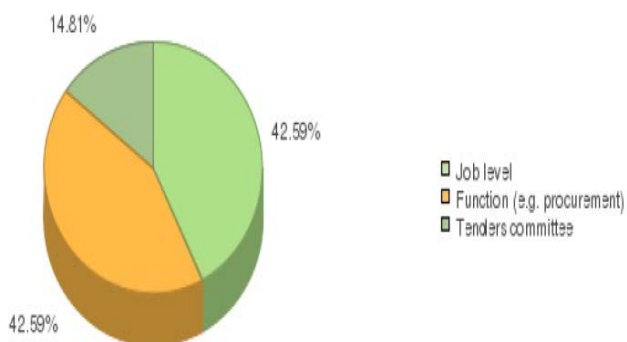
Question 21: Do outside experts acting as members of committees sign a Conflict of Interest Declaration and/or a Confidentiality Statement?



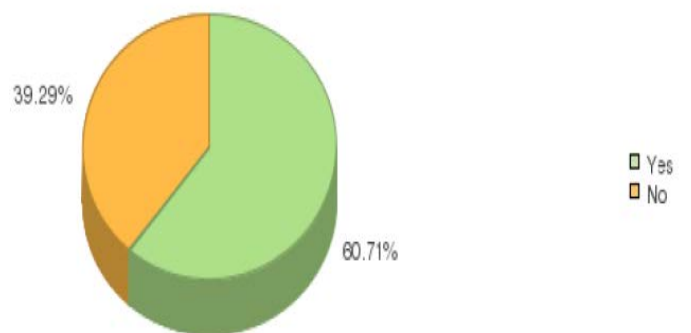
Question 22: Do consultants/external experts or personnel service agreement staffs sign (as part of their contracts or agreements), a Conflict of Interest Declaration and/or Confidentiality Statement?



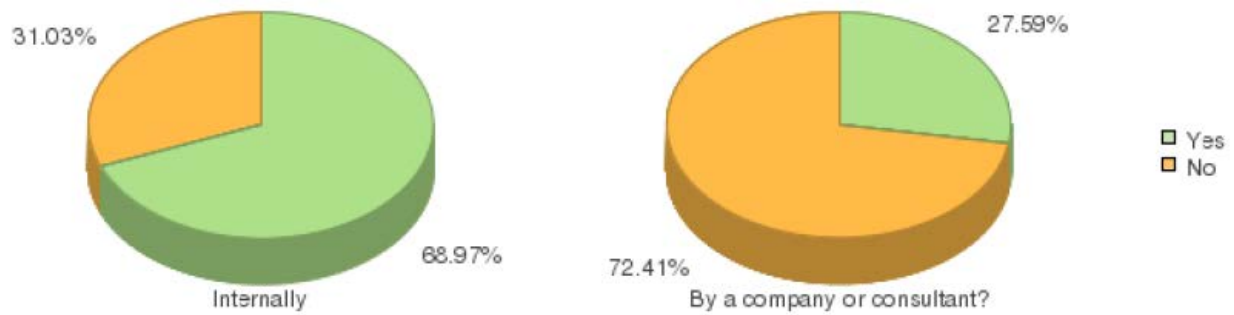
Question 23: Staff members participating in the Financial Disclosure Program are selected by:



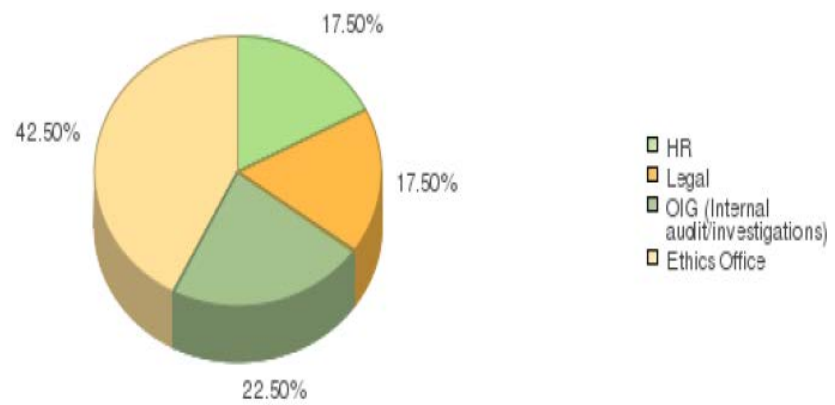
Question 24: Is the Financial Disclosure statement filed electronically?



Question 25: Is the review of Financial Disclosure statements performed internally, or by a company/consultant?



Question 26: Who has access to Financial Disclosure statements after review?



[Annex IV follows]

ANNEX IV: WIPO RESPONSES TO THE BENCHMARKING SURVEY TO UN AND OTHER INTERNATIONAL ORGANIZATIONS
(WIPO response highlighted)

BENCHMARKING WIPO'S ETHICS FRAMEWORK (each line contains in parentheses the response options e.g. 20 Organizations had an Ethics Office, including WIPO, while 11 did not)	No. of responses	%	No. of responses	%	No. of responses	%
Design and Structure						
Does your Organization have an Ethics Office? (YES/NO)	20	65	11	35		
Reports to: (DG/DDG/OTHER)	11	73	2	13	2	13
Aside from the SCICS, do you have an ethics code? (YES/NO)	23	74	8	26		
Staff have to certify they agree with SCICS or ethics code (YES/NO)	7	24	22	76		
Is ethics training mandatory in your organization? (YES/NO)	21	68	10	32		
How often is ethics training provided? (1/YR OR MORE OFTEN/LESS OFTEN THAN 1/YR)	11	50	11	50		
Ethics training channels (E-LEARNING/FACE-TO-FACE/BOTH)	5	20	8	32	12	48
If Ethics Office, Is the term of office renewable? (YES/NO)	16	80	4	20		
Communication and Reporting						
If Ethics Office, does it publish an annual report? (YES/NO)	14	70	6	30		
Who has access to this report? (INTERNAL/PUBLIC)	10	37	17	63		
Help-line to advise staff on Standards/code ? (YES/NO)	17	59	12	41		
Internal Control Mechanisms						
Nominal value for acceptance of gifts? (YES/NO)	21	68	10	32		
Maximum allowed (\$0-100/\$100-250)	17	81	4	19		
Hotline to anonymously report fraud or misconduct? (YES/NO)	24	77	7	23		
Does your Org. have an external Audit/Oversight committee? (YES/NO)	27	87	4	13		
Committee Composition (MEMBER STATES/OTHER)	19	83	4	17		
Implemented UNSG policy on sexual exploitation? (YES/NO)	10	32	21	68		
Confidentiality policy and guidelines? (YES/NO)	22	71	9	29		
Outside experts working on committees sign conflict of interest statements (YES/NO)	18	60	12	40		
Outside experts working on committees sign confidentiality agreements (YES/NO)	18	58	13	42		
Consultants/External Experts/PSAs sign Conflicts of interest declarations (20	69	9	31		
Consultants/External Experts/PSAs sign confidentiality agreements (YES/N	24*	83	5	17		
Financial Disclosure						
Selection for participation in financial disclosure (JOB LEVEL/FUNCTION)	23	74	8	26		
Review of financial disclosure done internally (YES/NO)	20	71	8	29		
Is the FD statement filed electronically? (YES/NO)	17	61	11	39		

* although consultants and personnel service agreements (PSA) sign a confidentiality statement, outside experts do not

Locus of Responsibility	HR	%	LEG	%	OIG/ Audit	%	Ethics Office	%
Who receives complaints of harassment?	17	40	1	2	17	40	8	19
Who investigates complaints of harassment?	15	37	2	5	19	46	5	12
Who has access to Financial Disclosure statements after review?	7	18	7	18	9	23	17	43

[Annex V follows]

ANNEX V: ETHICS-RELATED POLICIES, INSTRUCTIONS AND REPORTS

- (A) Procurement Manual and Procurement General Principles and Basic Rules (OI 01/2014);
- (B) Code of Conduct for Staff Involved in Procurement Actions (OI 02/2016);
- (C) Office Instructions on Personal Accountability and Financial Liability (OI 13/2008);
- (D) Office Instructions on Outside Activities (OI 39/2014);
- (E) Office Instructions on Honors and Gifts (OI 2/2013);
- (F) WIPO Declaration of Interest Form Implementing Guidelines (OI 1/2013.corr);
- (G) Policy to Protect against Retaliation for Cooperating in an Oversight Activity or Reporting Misconduct or other Wrongdoing (OI 58/2012),
- (H) Policy on Preventing and Deterring Corruption, Fraud, Collusion, Coercion, Money Laundering and the Financing of Terrorism (OI 13/2013).
- (I) WIPO's Guide to a Respectful and Harmonious Workplace (issued in 2016);
- (J) The WIPO Rewards and Recognition Program (OI 31/2015);
- (K) Office Instruction on Workplace-related Conflicts and Grievances(OI 7/2014);
- (L) Standards of Conduct in the International Civil Service;
- (M) WIPO Code of Ethics (OI 84/2012) and a guide to ethics at WIPO;
- (N) Annual Reports of the Ethics Office;
- (O) Annual Reports of the Office of the Ombudsperson;
- (P) Annual Reports of the Internal Oversight Division (IOD);
- (Q) Annual Reports of the Joint Advisory Group (JAG);
- (R) Annual Reports of the WIPO Appeal Board (WAB);
- (S) Annual Reports of the Human Resource Management Department (HRMD);
- (T) Annual Reports of the Independent Advisory Oversight Committee (IAOC); and
- (U) Surveys of WIPO staff, including the Core value surveys, and the survey on ethics awareness and compliance of March 2016.

[End of annex V and of document]