



ANNUAL REPORT ON ACTIONS TAKEN IN RESPONSE TO COMPLAINTS OF MISCONDUCT AND RETALIATION – 2023

(Presented by the Secretary General)

1.1 Under paragraph 90 i) of the ICAO Framework on Ethics (Annex I to *The ICAO Service Code*), the Secretary General is required to submit to the Council an annual report on actions taken in response to: a) matters referred and investigation reports provided by the United Nations Office for Internal Oversight Services (OIOS) on complaints of misconduct; and b) recommendations made by the Ethics Officer and the UN Ethics Office on complaints of retaliation or threats of retaliation. The annual report of the Secretary General, 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.

1.2 This document, therefore, presents the Secretary General's annual report on disciplinary actions, administrative measures, and managerial actions taken in response to matters referred and investigation reports provided by OIOS during the period under review. The document also presents information pertaining to actions taken by the Secretary General in response to recommendations made by the Ethics Officer and the UN Ethics Office on complaints of retaliation or threats of retaliation.

2. MATTERS REFERRED BY OIOS TO ICAO FOR ACTION IN 2023

2.1 OIOS referred seven matters to ICAO for action in 2023. Following receipt and initial assessment of the associated complaints, OIOS determined that ICAO should handle all seven matters with appropriate action, including consideration of conducting managerial interventions in the work units concerned. Two matters were carried over from 2022, and two other matters which were referred to ICAO in 2022 were subsequently referred back to OIOS and are under investigation.

2.2 During the reporting period, actions to conclude four matters were taken by the Secretariat, and seven matters remain in process.

2.3 Anonymized information on disciplinary and administrative actions completed in 2023 in respect of four cases is provided below:

- OIOS received an anonymous complaint including reports of possible unsatisfactory conduct of a staff member. OIOS referred the matter to ICAO for management action. Following ICAO review, the file was returned to the investigative entity for further review and action. OIOS subsequently declined to investigate, noting insufficient evidence to support the allegations. The matter was referred back to ICAO and subsequently closed.

- OIOS received a complaint from a staff member of possible unsatisfactory conduct regarding a direct supervisor. The matter was referred back to ICAO and subsequently closed upon various steps undertaken to discuss and resolve the matter with the parties, including management intervention by the Secretary General.
- OIOS forwarded an anonymous complaint on alleged irregularities in a State Civil Aviation Authority. The report also included opinions on unspecified ICAO safety auditors for allegedly not addressing such irregularities during the course of past audits. After review by the responsible technical ICAO unit, it was determined that the matter was under the purview of the State Civil Aviation Authority.
- OIOS received from a staff member, a report of possible unsatisfactory conduct implicating another staff member at ICAO with respect to matters related to the ICAO Staff Association. After initial assessment, OIOS considered this matter to fall under ICAO's purview and referred it to ICAO for appropriate action. In accordance with applicable Personnel Instructions, ICAO's Ombudsperson was asked to intervene. The Ombudsperson advised that he had briefed the parties and informed that the matter was being resolved internally.

2.4 OIOS produced one closure notice and one advisory report regarding management of IT assets, in response to a complaint about mismanagement of IT assets. ICAO accepted the advice and has taken appropriate action to manage the inventory of IT assets.

3. INVESTIGATION REPORTS PROVIDED TO ICAO AND ACTIONS TAKEN THEREON

3.1 In 2023, OIOS provided one new investigation report to ICAO. It is currently under review.

4. OVERVIEW OF CASES

4.1 The table below provides a snapshot of the status of investigation reports and referrals for management action received in 2023 and those carried over from 2022.

	New reports received in 2023	Pending reports carried over from 2022	Total
Investigation reports	1	0	1
Referral for management action	6	4 ¹	8 ²
Disciplinary process or administrative action completed in 2023	2	2	4

¹ This include the two matters referred back to OIOS for investigation in 2023.

² With reference to footnote 1, two matters have been removed from this total.

In process as of 31 December 2023	5	-	5
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5. **ACTIONS TAKEN IN RESPONSE TO RETALIATION**

5.1 In 2023, the Secretary General received one confidential recommendation from the Ethics Officer in connection with a complaint of retaliation. This was done in accordance with paragraph 71 b) of ICAO Framework on Ethics which provides that “[i]f the Ethics Officer determines that there is no prima facie case of retaliation or threat of retaliation but considers there to be a managerial problem relating to a particular bureau or office, the Ethics Officer will advise the Secretary General accordingly.”. In response to this recommendation, the Secretary General has taken action and the matter is being addressed accordingly.

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