

INTERNATIONAL ORGANIZATION FOR MIGRATION

Document Title: IOM STANDARDS OF CONDUCT

Document Type: Instruction

Character: Compliance with this Instruction is **mandatory**

Control No.: IN/15 Rev. 1

Document Owner: HRM

Status: Active

Date Published: 1 December 2014

Date Archived:

Replaces: This Instruction cancels and replaces IN/15

Summary: This document contains the Organization's Standards of Conduct.

Keywords: Standards, conduct

Location: <https://intranetportal/Pages/ControlNo.aspx?controlNo=IN/00015>

Initiated: HRM

Coordinated: LEG/SAC

Authorized: ODG

Distribution: All Missions Worldwide, All Departments at HQ

INSTRUCTION

INTERNATIONAL ORGANIZATION FOR MIGRATION

INSTRUCTION IN/15 Rev. 1

HUMAN RESOURCES MANAGEMENT

SUBJECT:	IOM STANDARDS OF CONDUCT	1 December 2014
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1.0 PURPOSE

This document contains the Organization's Standards of Conduct.

2.0 INSTRUCTIONS SUPERSEDED

This Instruction cancels and supersedes previous instruction IN/15.

3.0 EFFECTIVE DATE

This Instruction is effective 1 December 2014.

4.0 INTRODUCTION

The principles of these Standards of Conduct are to be followed and applied by all persons employed by or working for IOM worldwide, whether internationally or locally recruited, regardless of the type or duration of the contract, including interns, secondees, consultants, escorts and individuals holding hourly contracts. For the purpose of this Instruction, the term "staff members" shall mean to include all such persons.

5.0 STANDARDS OF CONDUCT

Foreword

5.1 IOM is committed to the principle that humane and orderly migration benefits migrants and society alike. To ensure orderly management of migration, IOM:

- a) assists States in meeting the operational challenges of migration
- b) advances understanding of migration issues
- c) encourages social and economic development through migration
- d) upholds the dignity and well-being of migrants

5.2 In implementing its mandate, IOM is not only bound to observe its Constitution, but must also ensure that the conduct of its staff members contributes to achieving its aims. Throughout the years of its existence, IOM has consistently maintained a reputation for efficiency and excellence. This tradition is based on staff members' high ethical and professional standards; such standards must be preserved and, where possible, enhanced. The issuance of a document articulating or consolidating standards is a means of reaffirming for IOM staff members the high standards of conduct and professionalism they are expected to uphold as international civil servants.

- 5.3 The IOM Standards of Conduct below are largely inspired by the efforts of various international organizations to adapt the 1954 International Civil Service Commission code of conduct to today's challenges; they are intended to reflect IOM specificities and to address its particular needs. As such, they are intended to: reaffirm certain important principles already contained in the Constitution and in the Staff Regulations and Rules; better define and illustrate these principles; provide an overall framework for conduct; serve as a reminder of the role that IOM staff members are called upon to play as international civil servants in contributing to the promotion of humane migration and social and economic progress, as well as cooperation among States.
- 5.4 These standards will assist IOM staff members, including executive heads, in applying, interpreting and developing the Staff Regulations and Rules.

Core values and guiding principles

- 5.5 Values are enduring beliefs that influence attitudes, actions and the choices made by international civil servants. International civil servants should be guided in all of their actions by a commitment to fundamental human rights, social justice and the dignity and worth of all persons.
- 5.6 International civil servants take pride in sharing the broad vision of IOM by working efficiently for the realization of its goals. It is of paramount importance that international civil servants affirm loyalty to IOM and place its interests above their own. It is essential that they commit themselves to demonstrating integrity, truthfulness and honesty in all their actions and that they pledge to use the resources of the Organization in a responsible manner, cognizant that they are trusted to safeguard those resources and use them wisely.
- 5.7 International civil servants should do their utmost to promote and practice tolerance, understanding and respect for all, without distinction as to race, gender, religion, colour, national origin, marital status, biological sex, gender identity, sexual orientation, age, physical disability or political conviction. They should also foster a climate of impartiality, fairness and objectivity and work towards the creation of a working environment that is sensitive to the needs of all.

Fundamental requirements

- 5.8 The fundamental requirements to be met by international civil servants are integrity, loyalty, independence, impartiality and an international outlook.

Integrity

- 5.9 Integrity is enshrined in the IOM Constitution and should be judged on the basis of the total behaviour of the person concerned. It includes such basic qualities as honesty, truthfulness, loyalty, probity, impartiality and rejection of corruption.

Loyalty

- 5.10 Loyalty entails placing the good of the Organization above personal, national or other interests.

Independence

5.11 IOM staff members must, in the exercise of their functions, remain independent of any authority outside the Organization, and their conduct should at all times reflect such independence. Staff members undertake not to seek or accept instructions relating to the performance of their duties from any Government, person or entity external to the Organization; they understand that they are not, in any sense, representatives of a Government or proponents of a national policy. These responsibilities also apply to IOM staff members seconded from Governments.

Impartiality

5.12 IOM staff members, in the exercise of their functions, must be impartial by exhibiting objectivity, lack of bias, tolerance and restraint, particularly when disputes or differences arise. Without impartiality on the part of staff members, international organizations could not gain public acceptance and confidence. IOM staff members' personal views and convictions remain inviolable, but staff members, unlike private individuals, do not have the freedom to publicly take sides or express their convictions on matters of a controversial official nature since such behaviour might give the impression of partiality.

International outlook

5.13 While IOM staff members are not expected to give up their national sentiments, or their political and religious convictions, they ensure that those views and convictions do not adversely affect their official duties or the interests of IOM. They must also bear in mind the reserve and tact incumbent upon them by reason of their status as international civil servants. They conduct themselves at all times in a manner befitting their status as international civil servants and do not engage in any activity that is incompatible with the proper discharge of their duties in IOM. They refrain from any action and in particular avoid any kind of public pronouncement that may adversely reflect on their status, or on the integrity, independence and impartiality that are required by that status.

Commitment to the standards

5.14 These standards of conduct are based on those core values, guiding principles and fundamental requirements. IOM staff members are expected to take a positive and active approach in upholding these standards of conduct. They should feel personally responsible for contributing to the broad ideals to which they dedicate themselves in joining the Organization.

Freedom from discrimination

5.15 International civil servants are expected to respect at all times the dignity, worth and equality of all people, without regard to race, gender, religion, colour, national origin, marital status, biological sex, gender identity, sexual orientation, age, physical disability or political conviction. Assumptions about capabilities based on stereotypes are to be avoided.

Freedom from harassment

5.16 Harassment in any form is an affront to human dignity. International civil servants should not engage in any form of harassment. Equally, they have the right to an environment free of harassment, which the Organization has a duty to provide. Any form of discrimination

or harassment, including sexual or gender harassment, as well as physical or verbal abuse at the workplace or in connection with work, is prohibited. Staff members shall not threaten, intimidate or otherwise engage in any conduct intended, directly or indirectly, to interfere with the ability of other staff members to discharge their official duties. Staff members shall not use their official function for personal reasons to prejudice the positions of colleagues they do not favour. The conduct of staff members must be free from intimidation or personal favouritism.

Gender equality

5.17 IOM should endeavour to uphold the equality of men and women and contribute to remove all barriers to gender equality.

Hierarchical relationship

5.18 It is essential for all staff members and in particular those in leadership positions to cultivate a harmonious workplace environment characterised by mutual respect and understanding. Supervisors should therefore fully consider all views and opinions, including those that differ from their own. In addition, they should ensure that the accomplishments and merits of IOM staff members are recognized and provide support to them at all times, particularly when they are subject to criticism arising from actions consistent with the exercise of their functions. Further, those in leadership positions are responsible for guiding and motivating their staff and facilitating their development.

5.19 Those in leadership positions should communicate effectively with their staff and as a general practice share information with them. Where a decision is to be taken, all relevant facts and information should be taken into consideration. Staff members have a reciprocal responsibility to provide all relevant facts and information to their supervisors and to abide by and defend any decisions taken so long as they conform to the policies of IOM.

5.20 IOM staff members should follow directions and instructions received from the Director General and their supervisors. In cases where a staff member has serious doubt as to the compatibility of an instruction received with IOM's policies, regulations and rules, it is his or her duty to place this concern before the supervisor. In case the staff member's view is rejected, s/he may ask for written confirmation, refer the matter to the Director General and, ultimately, challenge the instruction through the established institutional mechanisms.

5.21 IOM staff members have a duty to report any breach of the Organization's rules and regulations to a higher-level official, who should be accountable for taking appropriate action, including referring the matter for enquiry. A staff member submitting such a report in good faith has the right to be protected against reprisals or sanctions. IOM is committed to protecting staff members from retaliation or fear thereof as a result of reporting in good faith allegations of breach. Allegations made in bad faith with the intention to harm shall result in disciplinary measures.

Conflict of interest

5.22 IOM staff members are called upon to exercise particular care to avoid any conflict of interest. The term "conflict of interest" refers to circumstances in which the private interests of an international civil servant, or those of his/her family or friends or a favoured person, conflict or appear to conflict with the interests of the Organization. In this regard, IOM staff members involved in procurement matters should exercise particular care. All IOM staff members should perform their official duties and conduct their private affairs in such a manner that public confidence and trust in their integrity, objectivity and impartiality and that of the Organization are preserved and enhanced.

- 5.23 IOM staff members shall not offer or promise any favour, gift, remuneration or any other personal benefit to another staff member or to any third party with a view to causing him or her to perform, fail to perform or delay the performance of any official act. Similarly, IOM staff members shall neither seek nor accept any favour, gift, remuneration or any other personal benefit from another staff member or from any third party in exchange for performing, failing to perform or delaying the performance of any official act.
- 5.24 IOM staff members shall not be actively associated with the management of an enterprise that engages in business or transactions with the Organization. A staff member who is called upon to deal in an official capacity with a matter involving an enterprise or other concern in which he or she holds a financial interest, directly or indirectly, shall disclose the measure of that interest to the Director General and, except as otherwise authorized by the Director General, shall either dispose of that financial interest or formally withdraw from participating in the relevant official matter.
- 5.25 IOM staff members shall not use their office or knowledge gained from their official functions for private gain, financial or otherwise, or for the private gain of any third party, including family, friends and those whom they favour.
- 5.26 IOM staff members who are negotiating prospective employment outside IOM, when a potential conflict of interest may be involved, should refrain from participating in transactions on behalf of IOM with the prospective employer.

Use of property and assets

- 5.27 IOM staff members shall use the property and assets of the Organization only for official purposes and shall exercise reasonable care when utilizing such property and assets. They shall not, with the intent to destroy evidentiary material, alter, misplace or render useless any official document, record or file entrusted to them by virtue of their functions, which document, record or file is intended to be kept as part of the records of the Organization.
- 5.28 IOM staff members shall cooperate fully with requests for information from staff members tasked to investigate possible misuse, waste or abuse of funds.

Staff-management relations

- 5.29 Relations between management and staff members should be guided by mutual respect. Staff representatives play an essential role in the consideration of issues relating to terms and conditions of employment and work, as well as staff welfare. In accordance with the principle of freedom of association, IOM staff members may form and join associations, unions or other groupings to promote and defend their interests.
- 5.30 Staff representatives should be fully involved in and consulted on matters affecting staff members, and they should actively contribute to decisions on such issues. Staff representatives should not be the subject of discriminatory or prejudicial treatment based on their status or activities as staff representatives both during the term of office and after it has ended.

Relations with Governments

- 5.31 By virtue of being civil servants, staff members should avoid any action which would conflict with or undermine the policies of the Organization by impairing its relations with Governments. Nor should staff members interfere in the policies or affairs of

Governments. IOM staff members shall not individually or collectively criticize or attempt to discredit a Government.

- 5.32 IOM staff members are not representatives of their own Governments, nor do they have general authority to act as agents of liaison between the Organization and their Governments. In cases wherein the Director General requests that a staff member serves in a liaison capacity, such is a unique role demanding international loyalty and objectivity.
- 5.33 By accepting appointment as international civil servants, staff members pledge themselves to discharge the functions and to regulate their conduct only with the interest of the Organization in view. Their responsibilities as staff members are not national but exclusively international.
- 5.34 Governments and the Organization shall not place staff members in a position where their international and national loyalties may conflict.
- 5.35 In the performance of their duties, IOM staff members shall not seek or receive instructions from any Government or from any other authority external to the Organization. They shall refrain from any action which might adversely reflect on their position as international civil servants answerable only to the Organization.
- 5.36 IOM staff members shall not seek to influence Member States or Observers in order to obtain a reversal of an internal decision taken by the Director General, including decisions relating to the financing of programmes or those connected with professional career advancement or personal status.

Relations with the public

- 5.37 IOM staff members have an important and continuing responsibility to contribute to the broad understanding and support of the objectives and activities of IOM since the success of the Organization depends to a large extent on this support. IOM staff members should be knowledgeable about the achievements and activities of IOM. IOM staff members shall not air personal grievances or publicly criticize the Organization.

Contact with the media

- 5.38 Openness and transparency in relations with the media are effective means of communicating IOM's message to key audiences. The Media and Communications Division is the principal channel for communications with the press. Nonetheless, other staff members may be called upon to speak to the media in furtherance of the interests of the Organization. In such cases, the staff member may do so only within his or her area of expertise and must avoid personal references and views. If the staff member is unable to coordinate with the Media and Communications Division before communicating with the press on behalf of IOM, s/he must thereafter report to the Media and Communications Division on the details of the content of such communication. Under no circumstances may a staff member use the media to further his/her own interests, to air personal grievances, reveal unauthorized information or attempt to influence policy decisions facing the Organization.

Use and protection of information

- 5.39 IOM staff members should exercise the utmost discretion with regard to all matters of official business, and should not divulge confidential information without authorization from the Director General. Disclosing confidential information may seriously jeopardize the

efficiency and credibility of the Organization. IOM staff members should not use to private advantage information which has not been made public and is known to them by virtue of their official position. These obligations do not cease upon separation from service.

Respect for local cultures and customs

5.40 IOM staff members should respect the cultures, customs and habits of all countries. They should make every effort to avoid behaviour that is not acceptable in a particular cultural context.

Personal conduct of IOM staff members

5.41 IOM staff members should conform to high standards of personal conduct. They should bear in mind that their conduct and activities outside the workplace, even if unrelated to official duties, should not compromise the interests of IOM, bring it into discredit or offend the community in which they live or work. Particular care must be exercised to avoid personal conduct that is incompatible with IOM programmes or policies, and especially those programmes or policies that comprise the official duties of the staff member concerned. This conduct includes affiliation with any person suspected of being involved in an activity that violates national or international law or human rights standards, such as trafficking in human beings; IOM staff members should therefore adopt exemplary standards of personal behaviour to ensure IOM is contributing to such matters as combating trafficking in human beings and not exacerbating the problem.

5.42 IOM staff members shall provide humanitarian assistance and services in a manner that respects and fosters the rights of beneficiaries. For this reason and because there is often an inherent and important power differential in the interactions between staff members and beneficiaries, IOM strongly discourages staff members from having any sexual relationships with beneficiaries.

In addition, IOM staff members shall protect against and prevent sexual exploitation and sexual abuse (SEA) of beneficiaries.¹ Abusive and exploitative sexual activities with beneficiaries are absolutely prohibited.

In order to protect the most vulnerable populations and to ensure the integrity of IOM's activities, the following specific standards shall be followed:

- (a) Exchange of money, employment, goods, assistance or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited.
- (b) Sexual activity with children (persons under the age of 18) is prohibited, regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense. This prohibition shall not apply if the IOM staff member is legally married to someone under the age of 18 but over the age of majority or consent in both the IOM staff member and spouse's country of citizenship.
- (c) Sexual relationships between staff members who deliver professional health services directly to beneficiaries and such beneficiaries are prohibited.
- (d) Using the services of prostitutes or sex workers is prohibited, regardless of the legal status of prostitution in the laws of IOM staff members' home countries or duty

¹ For the purpose of this document, "sexual exploitation" means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another, and the term "sexual abuse" means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

stations. This prohibition extends to the use of prostitution outside working hours, including while on Rest & Recuperation and home leave.

The above-mentioned acts are not intended to be an exhaustive list. The above-mentioned acts as well as other types of sexually exploitive or sexually abusive behaviour constitute serious misconduct and, as such, are grounds for disciplinary measures, including summary dismissal.

All IOM staff members, particularly managers, are obliged to create and maintain an environment that prevents SEA. The failure of IOM staff members to appropriately prevent or follow-up on claims of SEA, may be reflected in the staff members' performance appraisal and constitute grounds for disciplinary measures.

- 5.43 Privileges and immunities enjoyed by some IOM staff members are granted in the interests of the Organization. They furnish no excuse to such staff members for non-performance of their private obligations or failure to observe national laws and regulations. The Director General has the right to waive a staff member's immunity and determine its scope.
- 5.44 Staff members must neither request nor expect from Governments privileges that are not provided for in agreements between the Organization and the Government concerned. The negotiation of such agreements is under the responsibility of Headquarters.

Outside employment and activities

- 5.45 International civil servants should devote their energies fully to the work of IOM. Therefore, it is improper for IOM staff members to engage without prior authorization in any outside activity, whether remunerated or not, that interferes with that obligation or is incompatible with their status. Queries in this regard should be referred to the Director General.
- 5.46 The Director General shall decide whether the undertaking of such office or employment is compatible with the proper discharge of the duties of the staff member with the Organization, including whether the activity is permitted by local law at the duty station or where the activity occurs. Activities such as teaching or producing books or articles for publication on matters of official concern are governed by this same consideration and are to be approved, in advance, by the Office of the Director General through the Ethics and Conduct Office (ECO). Staff members should also refer to Instruction IN/7 "Attendance and Accreditation at External Meetings".

Political activities

- 5.47 Although IOM staff members are free to exercise their right to vote, they may not be candidates for public office, whether at a national or local level. The holding of a political party office, membership of any political campaign committee, acceptance or solicitation of any financial contribution for political purposes is also improper. Similarly, staff members should exercise discretion in their support of a political party, political candidate or political issue and refrain from delivering public speeches, statements to the press or articles on such matters.
- 5.48 IOM staff members may maintain membership in a political party so long as its prevailing views, and the obligations imposed on its members, are consistent with the declaration of service at IOM.

Gifts, honours and remuneration from outside sources

- 5.49 No staff member shall accept any honour, decoration, favour, gift or remuneration from any Government or non-governmental source offered because of the staff member's official position without first obtaining the approval of the Director General. If refusal of an unanticipated honour, decoration, favour or gift from a Government would cause embarrassment to the Organization, the staff member may receive it on behalf of the Organization and then report and entrust it to the Director General, who will either retain it for the Organization or arrange for its disposal for the benefit of the Organization or for a charitable purpose.
- 5.50 IOM staff members may occasionally accept, without prior approval, minor gifts of essentially nominal value having regard to the duty station concerned, provided that all such gifts are promptly disclosed to the head of the administration at the duty station, who may direct that the gift be entrusted to the Organization or returned to the donor. Where the staff member accepting a minor gift is the head of administration at the duty station, he or she should promptly disclose this to his or her supervisor, who may direct that the gift be entrusted to the Organization or returned to the donor.
- 5.51 The Director General may authorize IOM staff members to accept from a non-governmental source or a university, academic awards, distinctions and tokens of a commemorative or honorary character, such as scrolls, certificates, trophies or other items of essentially nominal monetary value.
- 5.52 IOM staff members may not accept supplementary payments or other subsidies from Governments or any other source which are at variance with IOM's Constitution and other applicable rules and regulations of IOM.
- 5.53 Some staff members are expected to attend governmental or other functions such as meals and diplomatic receptions. Such attendance is not considered as receipt of a favour, gift or remuneration. Staff members participating in authorized activities organized by an IOM counterpart may receive accommodation, travel and subsistence allowances. In this instance, staff members are required to declare these so that the IOM travel subsistence allowance can be reduced accordingly.

Conclusion

- 5.54 The attainment of the standards of conduct for IOM staff members requires the highest commitment. Together, IOM staff members and Member States are jointly responsible and accountable for upholding these standards. For these standards to be effectively applied, it is essential that they be widely disseminated, and that measures be taken to ensure that their scope and importance are understood throughout the Organization.