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**COMMITTEE ON
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POLICY PROHIBITING AND COMBATTING FRAUD AND CORRUPTION

Section 1 Preliminary Provisions

General Introduction

This statement of ITTO's Policy Prohibiting and Combatting Fraud and Corruption affirms ITTO's long-standing zero tolerance for all forms of fraud, corruption, and related misconduct,¹ and outlines the steps to be taken in response to good faith reports of possible violations of the policy.

Applicability

Executive Director, Staff and Non-Staff Personnel

1.1 The Executive Director, all staff members, non-staff personnel, and personnel of third parties, including vendors and executing agencies, entering into agreement with ITTO are required to comply with this Policy.

(a) The "Executive Director" is the chief administrative officer of the Organization appointed by the International Tropical Timber Council in accordance with Article 12 of the International Tropical Timber Agreement, 2006, and is responsible to the Council for the administration and operation of the Agreement.

(b) A "staff member" is any person holding a Letter of Appointment to ITTO signed under the authority of the ITTO Executive Director.

(c) "Non-staff personnel" includes any person who is working with ITTO as a volunteer, under stand-by Personnel arrangements in emergencies, under a reimbursable loan, internship, through an employment agency, or any similar arrangement; it does not include individual consultants or contractors.

Vendors (including Consultants) and Executing Agencies

1.2 ITTO individual consultants and contractors are also expected to maintain the highest standard of conduct in connection with their engagement with ITTO. A commitment to the highest ethical standards is a major consideration in the selection of individual consultants and contractors at ITTO.

1.3 ITTO vendors (including individual and institutional consultants) and Executing Agencies are also expected to adopt and enforce robust policies combatting fraud and corruption. Those policies are expected to be no less stringent than this Policy.

Definitions

1.4 In this Policy, "fraud" means the actual or attempted use of deceit, falsehood, or dishonest means (including willful omission) to secure direct or indirect financial or material gain, personal advantage or other benefit, and includes fraudulent, corrupt, collusive, coercive and obstructionist conduct (as defined below). It includes attempted fraud (even if unsuccessful).

(a) "Fraudulent conduct" is any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party in order to obtain a financial or other benefit or to avoid an obligation;

(b) "Corrupt conduct" is the offering, giving, receiving, or soliciting (in each case, directly or indirectly) anything of value in order to influence improperly the actions of another party;

¹ Hereafter this policy may use the term "fraud" to mean fraud, corruption, and related misconduct, as defined in Section 1.4 of this policy.

(c) “Collusive conduct” is the proposing or entering into an arrangement between two or more parties designed to achieve an improper purpose, including influencing improperly the actions of another party;

(d) “Coercive conduct” is the impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party in order to influence the actions of that party or another; and

(e) “Obstructive conduct” is (i) any act which deliberately and in an effort to compromise an investigation, destroys, falsifies, alters or conceals information or documents that may be relevant to a fraud and corruption investigation, or material that could become evidence as a result of such investigation; or (ii) the making of false statements to investigators during such an investigation which obstructs the course of justice.

Section 2 Policy against Fraud and Corruption

2.1 The Executive Director, ITTO staff members, non-staff personnel, and personnel of third parties entering into agreement with ITTO are not to engage in fraud.

2.1 (a) Fraud against ITTO will constitute misconduct and will be grounds for serious disciplinary and/or administrative actions and/or dismissal. It may lead to actions to recover any losses sustained by ITTO as a result of such fraud (including referral to law enforcement authorities).

2.1 (b) Fraud against others will also constitute misconduct, being conduct unbecoming of an international civil servant, and will also be grounds for serious disciplinary and/or administrative actions and/or dismissal.

2.2 ITTO vendors (including individual consultants and contractors, and institutional consultants) and executing agencies are not to engage in fraud.

2.2(a) Fraud against ITTO will constitute grounds for probation, suspension, or termination of the relationship with ITTO. It may also lead to actions to recover any losses sustained by ITTO as a result of such fraud (including referral to law enforcement authorities). ITTO will maintain a list of vendors (including individual consultants and contractors, and institutional consultants) and executing agencies sanctioned for fraud and will make this list available to Council.

2.2(b) Fraud against others will disqualify such vendor/s (including individual and institutional consultants and contractors) or executing agencies from further engagements with ITTO.

2.3 ITTO will address all allegations of fraud involving or impacting on ITTO;

2.4 Managers who fail to take appropriate action in this connection or who directly or indirectly tolerate or condone improper activity under this policy may be held accountable for violations of this policy, as well as under ITTO staff regulations and rules and the Standards of Conduct for the International Civil Service.

Section 3 Reporting Procedures and Subsequent Actions

Reporting

3.1 ITTO staff members and non-staff personnel, as defined in 1.1.c, are required to report all reasonable suspicions of fraud involving or impacting on ITTO to Senior Management. Where Senior Management is either implicated in the complaint or the complainant has reasonable belief that Senior Management has an interest in the outcome of the claim, staff members and non-staff personnel may report suspicions of fraud to the Executive Director and/or one or more members of the ITTC. The Executive Director shall report all claims of fraud to the ITTC in a timely manner.

3.2 ITTO vendors (including individual consultants and contractors, and institutional consultants) and executing agencies are also required to report in good faith suspicion of fraud involving or impacting on ITTO as soon as possible.

3.3 Reports must be made in good faith. Making a false or malicious allegation is not permitted or protected, and may result in disciplinary action in accordance with applicable rules and procedures.

3.4 Reports can be made anonymously, though anonymous reports that lack specific details will be reviewed but may not be pursued further if the report does not include sufficient supporting material.

Preliminary Review of Claims

3.5 The officials responsible for receiving claims of suspected fraud and corruption ("Reviewing Official") will review the available information and make a determination as to:

- a. Whether the claim(s) was submitted in good faith; and
- b. The suspected conduct, if true, would constitute an act of misconduct as defined in section 1.4 of this policy.

3.6 If the review official determines the claim was either not submitted in good faith or would not constitute an act of misconduct under section 1.4 of this policy, he/she shall close the case, notify the complainant of the outcome, and report the same to the Executive Director, or in the event the Executive Director is the Reviewing Official, to the ITTC, as appropriate.

3.7 If the reviewing official determines the claim was made in good faith and would constitute misconduct under section 1.4, she or he shall refer the claim for investigation as provided in section 3.8 of this policy. The reviewing official shall also notify the claimant and ITTC of same.

Investigations

3.8 Claims deemed to require full investigations shall be referred, in consultation with the ITTC, in a neutral and factual manner to an appropriately skilled external investigative entity, such as the investigative function of a UN entity, a certified forensic audit consultant, or a private legal firm. In the event the conduct concerns Senior Management or the Executive Director, the ITTC shall independently engage the investigative entity. ITTO shall additionally ensure the availability of adequate financial resources to cover the costs of such investigations.

3.9 The external investigative entity shall be granted full, unimpeded access to all individuals or information it deems pertinent to an investigation. All staff members, non-staff personnel, and other third parties covered under this policy are required to cooperate fully with investigations. ITTO vendors and executing agencies are required to ensure that their personnel and agents (including their attorneys, accountants, and other advisers) also cooperate fully with such investigations.

3.9 The selected external investigative entity will investigate the claim(s) to determine whether any misconduct and/or harm occurred and submit a detailed report on the outcome of its investigation to the Executive Director or the ITTC Chair, as appropriate, for disciplinary action in accordance with the ITTO Staff Regulations and Rules. ITTO may additionally make reasonable efforts to recover financial losses. ITTO shall refer to Member State law enforcement authorities any suspected activity requiring criminal investigation, in accordance with relevant Council decisions in the case of criminal conduct by ITTO staff members or individual consultants.

3.10 In the event that the claim concerns the Executive Director, the ITTC Chairperson shall, in consultation with the full Council, determine the most appropriate action to be taken, if any.

Appeals

3.11 Where a complainant or alleged offender has grounds to believe that the procedure followed or administrative decision taken with respect to a claim of misconduct under this policy was improper or erroneous, he or she may appeal the action pursuant to chapter 8 of the ITTO Staff Regulations and Rules,

Section 4 Reporting; Disclosure; Confidentiality; Public Statements

4.1 The Executive Director shall report to the ITTC via the Committee on Finance and Administration, the following information on an annual basis, giving due regard to all applicable personal data and privacy protections: the number and type of all claims of fraud and corruption filed under this policy; a description of all fraud cases investigated or under open investigation by ITTO; the disposition of all cases investigated; a description of any disciplinary actions implemented as a result of investigative finding; and any financial or other losses incurred by the organization as a result of such instances.

4.2 Full investigation reports shall be made available to those with affirmative duties under this policy and to ITTO Member States pursuant to performing bona fide oversight responsibilities. All those given access to investigation reports have a duty to treat all information contained therein with utmost discretion and in conformity with relevant privacy decision of the ITTC.

4.3 ITTO may decide to make public disclosure of the fact that it has received reports indicating it may have been the victim of fraud and of the status of any response to such reports.

4.4 All disclosures relating to reports that ITTO may have been the victim of fraud and the status of ITTO's response (including reports to the ITTC/Committee on Finance and Administration) will be made in accordance with the following principles:

- (a) In order to ensure the probity of any investigation of possible fraud, to maximize the prospect of recovery of funds, and to respect the due process rights of all involved, information relating to reports of fraud and investigation and handling of such reports is to be treated confidentially and with utmost discretion even within ITTO.
- (b) All disclosure of information will be subject to the relevant decisions of the ITTC.

Section 5 Protection from Retaliation (“Whistleblower Protections”)

5.1 Any individual who makes a report in good faith under this policy or cooperates in good faith with any duly authorized investigation has the right to be protected against retaliation and to all due process, as provided in the ITTO Whistleblower Policy (see Annex 1 of the Staff Regulations and Rules). ITTO expects its institutional consultants and contractors, suppliers and vendors, and executing agencies, to have similar appropriate anti-retaliation/whistleblower policies in place. The ITTO Director of Operations and the ITTO Finance/Administrative Officer will bear primary responsibility to ensure the possibility of vendors meeting these expectations.

Section 6 Policy Maintenance

6.1 The Executive Director is responsible for the administration, revision, interpretation and application of this policy. The policy will be reviewed periodically and revised as needed.

International Tropical Timber Organization – EXTERNAL COMPLAINTS POLICY

1. Purpose

The purpose of this policy is to ensure transparency and accountability to all stakeholders in relation to complaints regarding ITTO and its operations. It seeks to make clear the mechanisms available for making complaints and the way in which complaints will be handled and resolved. ITTO acknowledges the value of receiving complaints as an important tool in understanding and responding to stakeholder's expectations where the ITTO Secretariat will respond to all complaints in a prompt, fair and sensitive manner. We therefore welcome complaints and will respond constructively and in a timely manner.

Complaints may be submitted by our supporters, donors, the general public, beneficiaries, official bodies and our partners. This policy deals only with external complaints and does not cover internal issues and/or complaints by staff member, interns or volunteers.

Guiding Principles

Confidentiality: The ITTO Secretariat is committed to ensuring that all information related to complaints and their resolution will remain confidential. The privacy of individuals will be maintained and personal information will not be divulged.

Accessibility: complaints procedures should be easily accessible and well publicized to the people we work with and other stakeholders. Information relating to the process is accessible and options exist to make a complaint to ensure no complainants are disadvantaged.

Objectivity: complaints are treated with respect in a fair and equitable manner. Conflicts of interest will be identified to ensure objectivity.

Responsiveness: complaints are dealt with in a manner that is timely, responsive and will be taken seriously. Complainants will be kept informed on the progress of their complaint through the process.

2. Definitions

ITTO defines a complaint as an expression of dissatisfaction about the standards of service, actions or lack of actions by ITTO.

A complainant is any person or organization making a complaint.

3. Compliance

The consequence of not complying with the policy and procedures ranges from disciplinary action to performance management to cessation of employment or contract agreement, dependent on the seriousness of the non-compliance.

4. Procedures

4.1 Complaints Handling Process

ITTO will receive and respond to all complaints irrespective of who makes them or the nature of the complaint. It is acknowledged that some complaints are of a more minor nature and can be resolved quickly and informally (informal resolution).

Where a complaint cannot be resolved easily and informally, the Complaints Handling Process described below should be followed.

4.1.1 Making a complaint

How can a complaint be made?

Complaints should be made through the online contact form located on ITTO's website, which is the central point for all complaints.

Complaints can be forwarded in the three official ITTO languages.

4.1.2 Receiving a complaint

Who can receive a complaint?

Complaints lodged electronically will be received through the ITTO's general administration e-mail at itto@itto.int and logged through ITTO's established general internal administration procedures. Upon initial assessment by the Division of Operations on the veracity of any complaint received, a complaint will be referred to the manager responsible for the relevant area for appropriate action. In the event of a complaint being made verbally, it is important the staff member clarifies the issues, listens to what the complainant has to say and makes a brief and accurate written summary of the complaint. The staff member should also establish if the complainant needs assistance in making the complaint.

The employee receiving the complaint will record the following details:

- i. The name of the person/s making the complaint
- ii. The date, time and location the complaint is received
- iii. A brief description of the complaint and the expectations of the complainant

The primary officer in charge of investigating legitimate complaints will be the Director of Operations (dop@itto.int) or alternatively, the head of any other division (dti@itto.int / dfm@itto.int) if the complaint relates to a particular division/staff member. If a complaint is made against the Executive Director, the complaint will be referred to the ITTC Chairperson who will decide on appropriate action as necessary, including referring the complaint in a neutral and factual manner to an appropriate professional investigative entity (such as consultants and/or a legal entity).

A complaint lodged through an ITTO member shall be sent by the member to the ITTO Executive Director, who will take the necessary action as appropriate and report back to the ITTO member. If the complaint lodged by an ITTO member is against the Executive Director, the complaint will be referred to the ITTC Chairperson who will determine in consultation with the ITTO Officials on appropriate action to be taken, if any, including referring the complaint in a neutral and factual manner to an appropriate professional fraud investigative entity (such as consultants and/or a legal entity).

In some instances, a complainant may request that their identity is not divulged however it should be acknowledged this may restrict the resolution of the complaint.

4.1.3 Acknowledging a complaint has been received

Each complaint must be acknowledged as it is received. Acknowledgement will also include an outline of the next steps. If an oral complaint is received, the staff member should take the name and contact details so the outcome can be communicated without breaching privacy or confidentiality.

4.1.4 Registering Complaints

All complaints dealt with under the Complaints Handling Process, whether verbal or written are to be recorded in a Complaints Record log. These records will be used to ensure complaints are dealt with effectively, to monitor trends and to ensure continuous improvement of the complaints handling process.

4.1.5 Assessing and reviewing a complaint

Once a complaint has been received and acknowledged, the Director of Operations will make a preliminary assessment as to whether the issue raised merits further examination. In this context, the Director will take into account:

- The identity of the party concerned and its interest in the matter;
- Whether the issue is material and substantiated;
- Whether there seems to be a link between ITTO activities and the issue raised;
- How similar issues have been, or are being, treated in other domestic or international proceedings.

Following its preliminary assessment, the Director of Operations will respond to the parties concerned. If it is decided that the issue does not merit further consideration, the parties will be informed of the reasons for this decision.

If the Director of Operations determines that the complaint does merit further investigation, it will be referred to the manager responsible for the relevant area for appropriate action. Depending on the nature of the complaint, appropriate action can either constitute direct action by the relevant manager or potentially a more formal process by a third-party, independent investigator with appropriate expertise for the circumstances.

4.1.6 Remedy or System Improvement

At times, remedy and systems improvement may arise out of complaints dealt with under either Informal Resolution or under the Complaints Handling process. This procedure will be initiated by the relevant manager using the following steps.

1. Assess if remedy and/or systems improvement is warranted or no action is required.
2. Implement immediate remedy/system improvement or plan future implementation of remedy/system improvement.
3. Inform complainant of outcome

Remedy is action taken to correct or rectify a situation for an individual where it identified he/she has been treated poorly or unfairly by the system.

Systems improvement, where appropriate, is an opportunity to improve policies, procedures, organizational culture, or similar issues to prevent future problems.

4.1.7 Informing complainant of outcome

Once the complaint has been resolved, the complainant will be advised of the outcome ensuring the privacy of any individual involved in the matter.

4.1.8 Timeframe for Response

ITTO will seek to resolve complaints as quickly as possible and ensure complainants are regularly updated as to the progress or outcome of their complaint.

4.1.9 Appeals Process

- (1) If the complainant is dissatisfied with the responses received from ITTO or if they believe action has not been taken, they may appeal to the next management level. If the matter involves a Director, it should be referred immediately to the Executive Director (ED). If the complaint involves the Executive Director, it should be referred to the Council Officers.
- (2) Any response provided to an external complainant should be from the ED on behalf of the organization. External complainants dissatisfied with the outcome are permitted to appeal to Council Officers.

4.2 Publication of the Policy

ITTO will provide clear information to its stakeholders and members of the public on how to make a complaint and the ability to make a complaint for suspected breaches of the Code by a signatory organization.

This information will be publicly available on the ITTO website. ITTO staff will inform relevant stakeholders of the policy where appropriate and provide copies of the policy on request.

4.3 Training of Policy

New staff will be provided with the policy as part of their induction to the organization. The policy will also be available for all staff on a nominated share drive and placed on ITTO's website. Training and/or communication will also be provided following an update or change to the policy.

5. Responsibilities

ITTO's Senior Management is responsible for ensuring that ITTO responds to complaints according to the policy and procedures.

The Executive Director (ED) is ultimately responsible for complaints which cannot be resolved by management.

The Council Officers are responsible for managing complaints relating to the ED. The Director of Operations acts as the Complaints Handling Officer and is responsible for:

- Initial assessment of complaints and identifying those which are to be actioned upon, those which can be dealt with informally and those which are clear, serious, or complex complaints to be addressed according to the complaints handling procedure;
- Ensuring complaints are appropriately referred, resolved and that follow up actions have taken place;
- Reporting such investigative activity (with due regard to confidentiality requirements) to Council; and
- Maintaining the Complaints Log.

CODE OF ETHICS FOR INTERNATIONAL TROPICAL TIMBER ORGANIZATION (“ITTO”) PERSONNEL

PREAMBLE

Reaffirming the purposes, values and principles of ITTO as enshrined in the International Tropical Timber Agreement, and the importance for ITTO to secure the highest standards of efficiency, competence and integrity from ITTO personnel;

Recognizing that it is imperative for ITTO to cultivate and nurture a culture of ethics, integrity and accountability and thereby enhance the trust in, and the credibility of ITTO;

Reaffirming the Standards of Conduct for the International Civil Service as well as standards of conduct provided for in the relevant Staff Regulations and Rules, and other relevant issuances of ITTO;

ADMINISTRATION OF THE CODE

Those found in violation of this Code will be subject to appropriate disciplinary as appropriate.

Those who report failures of non-compliance will be protected from retaliation through relevant policies.

This Code will be reviewed periodically and updated as appropriate and necessary.

SCOPE

This Code of Ethics sets out the values and principles to guide the conduct and behaviour of ITTO personnel.

For the purposes of this Code, ITTO personnel includes the Executive Director, ITTO staff members and related personnel such as ITTO volunteers, personnel or employees of non-ITTO entities or individuals who have entered into a cooperative arrangement with ITTO, including interns, international and local consultants, as well as individual and corporate contractors) and experts involved in various ITTO missions.

The values and principles contained in this Code of Ethics shall be reflected in the applicable standards of conduct provided for in the relevant Staff Regulations and Rules, and other relevant issuances of ITTO, including the obligation to report any breach of the Organization’s regulations and rules to the officials whose responsibility it is to take appropriate action.

VALUES

Independence

ITTO personnel shall maintain their independence and shall not seek or receive instructions from any government, group of members or from any other person or entity external to ITTO and shall refrain from any action which might reflect negatively on their position as ITTO personnel responsible only to ITTO.

Loyalty

Loyalty to the purposes, values and principles of ITTO is a fundamental obligation of all ITTO personnel. They shall be loyal to ITTO and shall, at all times, discharge their functions and regulate their conduct with the interests of ITTO only in view.

Impartiality

ITTO personnel, in the performance of their official duties, shall always act with impartiality, objectivity and professionalism. They shall ensure that expression of personal views and convictions does not compromise or appear to compromise the performance of their official duties or the interests of ITTO. They shall not act in a way that unjustifiably could lead to actual or perceived preferential treatment for, or against particular individuals, groups or interests, internally and/or externally.

Integrity

ITTO personnel shall maintain the highest standards of integrity, including honesty, truthfulness, fairness and incorruptibility, in all matters affecting their official duties and the interests of ITTO.

Accountability

ITTO personnel shall at all times be accountable for the proper discharge of their functions, and for their decisions and actions. In fulfilling their official duties and responsibilities, ITTO personnel shall make decisions in the interests of ITTO. They shall be subjected to scrutiny, in line with the ITTO Staff Regulations & Rules, as required by their position.

Respect for human rights and non-discrimination

ITTO personnel shall fully respect the human rights, dignity and worth of all persons and shall act with understanding, tolerance, sensitivity and respect for racial, cultural, religious diversity, gender, sexual orientation, age, national origin, disability, and political views, and without discrimination of any kind.

PRINCIPLES

Conflict of interest

ITTO personnel shall prevent any conflict of interest, whether real or perceived, arising between their private and official interests in carrying out their official duties and responsibilities for ITTO; if such a conflict does arise, such conflict shall be disclosed and resolved in favour of the interests of ITTO.

Abuse of authority

ITTO personnel shall not abuse the authority entrusted to them, in particular by taking advantage of colleagues, beneficiaries or other individuals or groups for personal, financial, political, sexual or other gain.

Gifts, honours, favours, or other benefits

ITTO personnel shall not solicit or accept gifts, honours, favours and/or other benefits from sources external to ITTO which may bring into question their independence, impartiality and integrity, unless the acceptance of such gifts, honours, favours and/or other benefits is pursuant to applicable policies and regulations.

ITTO resources

ITTO personnel shall only use or allow the use of ITTO's resources, including its property, directly or indirectly, for authorized purposes.

Confidentiality of information

ITTO personnel shall not use information that is not generally publicly available, for private or financial gain or otherwise, to benefit themselves, or others with whom they have personal, family or other ties, nor shall they disclose such information to the public without authorization. This duty continues to apply after the expiration of their service with ITTO.

Post-employment

ITTO personnel shall not act in such a manner as to take improper advantage of their official functions and positions, including privileged information obtained from such functions and positions, when seeking employment or appointment after leaving their service with ITTO.

Policy on Prohibition of discrimination, harassment, sexual harassment and abuse of authority

This policy seeks to ensure that all individuals working at or with ITTO are treated with dignity and respect and are aware of their role and responsibilities in maintaining a workplace free of any form of discrimination, harassment, sexual harassment or abuse of authority.

Section 1 Definitions

1.1 For the purpose of this policy, the following definitions apply:

(a) "Discrimination" is any unfair treatment or arbitrary distinction based on a person's race, sex, religion, nationality, ethnic origin, sexual orientation, disability, age, language, social origin or other status. Discrimination may be an isolated event affecting one person or a group of persons similarly situated, or may manifest itself through harassment or abuse of authority.

(b) "Harassment" is any improper and unwelcome conduct that has or might reasonably be expected or be perceived to cause offence or humiliation to another person. Harassment may take the form of words, gestures or actions which tend to abuse, demean, intimidate, belittle, humiliate or embarrass another person or which create an intimidating, hostile or offensive work environment. It includes harassment based on any grounds, amongst others, such as race, religion, color, creed, ethnic origin, physical attributes, gender or sexual orientation. Harassment normally involves a series of incidents but may also involve a single incident.

(c) "Sexual harassment" is any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile, or offensive work environment. While typically involving a pattern of behaviour, it can take the form of a single incident.

Sexual harassment may occur between persons of the opposite or same sex. Both males and females can be either victims or offenders.

(d) "Mental and psychological harassment" includes any kind of abuse that is emotional rather than physical in nature. It can include anything from verbal abuse, constant criticism to more subtle tactics such as intimidation, manipulation, insults, putdowns, arbitrary and unpredictable behavior, and gaslighting (e.g. the denial that previous abusive incidents occurred).

(e) "Abuse of authority" is the improper use of a position of influence, power, or authority against another person. This is particularly serious when a person uses, or threatens to use, his/her influence, power, or authority to improperly influence the career or employment conditions of another, including, but not limited to, appointment, assignment, contract renewal, performance evaluation or promotion.

Abuse of authority may also include conduct that creates a hostile or offensive work environment, and such conduct can include (but is not limited to) the use of intimidation, threats, blackmail or coercion.

1.2 Disagreement between a staff member and supervisor on work performance or on other work-related issues is normally not considered harassment or abuse of authority and is not dealt with under the provisions of this directive but in the context of performance management.

Section 2 General principles

2.1 In accordance with the provisions of ITTO Staff Regulation 1.12, every staff member has the right to be treated with dignity and respect, and to work in an environment free from harassment and abuse.

Consequently, any form of discrimination, harassment, sexual harassment and abuse of authority is prohibited.

2.2 All staff members are expected to act with tolerance, sensitivity and respect for diversity. They have the obligation to ensure that they do not engage in, condone or tolerate behaviour which would constitute discrimination, harassment, sexual harassment or abuse of authority. Any form of discrimination, harassment, sexual harassment or abuse of authority in the workplace or in connection with work is a violation of these principles and may lead to disciplinary action, irrespective of whether the discrimination, harassment, sexual harassment or abuse of authority takes place at a ITTO office, in the course of official travel or an official mission, or in other settings in which it may have an impact on the workplace.

2.3 Managers are expected to act, at all times, as role models by upholding the highest standards of conduct and by promoting a harmonious working environment, free of any form of discrimination, harassment, sexual harassment and abuse of authority. They have to ensure that complaints of discrimination, harassment, sexual harassment or abuse of authority are promptly addressed in a fair and impartial manner while upholding the confidentiality of the matter as required under this directive. This includes explaining to an individual alleging harassment the processes available under this directive. Failure on the part of managers to fulfill their obligations under this directive may be considered a breach of duty, and, if established, will be reflected in their performance evaluation and may be grounds for administrative or disciplinary action, as appropriate.

2.4 Heads of Office/Division are responsible for the implementation of this policy in their respective office/division and for holding all managers accountable for compliance with its terms but are not the sole reporting avenue. Please refer to Section 5 below for more detailed guidance on available applicable procedures.

Section 3 Applicability

3.1 This policy applies to all ITTO personnel, including the Executive Director, and other non-staff personnel. Non-staff personnel will be subject to action in accordance with the terms and conditions of their contract, vendor policy and of other applicable policies. Action of the reports will depend on the status of the alleged offender.

3.2 Complaints of discrimination, harassment, sexual harassment or abuse of authority may be made by any person who may have been subject to discrimination, harassment, sexual harassment or abuse of authority by an ITTO personnel, as well as third parties with direct knowledge of possible harassment. In cases where the complainant works for another organization, ITTO will seek to conduct the investigation in consultation with the other organization.

3.2 This directive does not apply to cases where the complainant is an ITTO Secretariat personnel or other individual working for ITTO, paid or unpaid, and files a complaint against another organization of the United Nations common system. However, ITTO will ensure, to the extent possible, that the interests of its Secretariat personnel and other individuals working for ITTO are protected by the other organization.

Section 4 Preventive measures

4.1 ITTO has the duty to take all appropriate measures towards ensuring a harmonious work environment, and to protect ITTO Secretariat personnel from exposure to any form of discrimination, harassment, sexual harassment or abuse of authority through preventive measures and the provision of effective remedies when prevention has failed.

4.2 ITTO conducts mandatory awareness programmes for all Secretariat personnel to raise awareness of its zero tolerance of discrimination, harassment, sexual harassment and abuse of authority, to provide guidance on the relevant policy and procedures and to foster the creation of a harmonious working environment. Heads of office/division are responsible for ensuring that their personnel undertake and complete the mandatory training programme on prevention of discrimination, harassment, sexual harassment and abuse of authority in the workplace.

4.3 Secretariat personnel are responsible for familiarizing themselves with this directive and the related provisions and resources, including the ITTO Whistleblower Policy, which protects complainants against any retaliation.

4.4 In order to resolve problems which could potentially give rise to discrimination, harassment, sexual harassment or abuse of authority, managers will maintain open channels of communication and ensure that Secretariat personnel who wish to raise their concerns in good faith can do so freely and without fear of adverse consequences.

4.5 If there is a need for confidential guidance or advice on matters which could give rise to instances of discrimination, harassment, sexual harassment or abuse of authority, Secretariat personnel and other individuals working for ITTO, paid or unpaid, may consult the Direct, Division of Operations and/or the Heads

of Divisions.

Section 5 Corrective measures

5.1 Individuals who believe they are victims of discrimination, harassment, sexual harassment and abuse of authority (“complainants”) are encouraged to address the issue as early as possible after it has occurred. The complainant may do so through an informal or formal process, as explained below. The complainant may attempt, in the first instance, to resolve the situation informally or he/she may decide to submit a formal complaint directly. The processes described below are not mandatory, nor are they listed in priority order. They describe the options available to the complainant, who decides which option is the most appropriate for his/her situation. Individuals need not use the informal complaint process before electing to use the formal complaint process. The use of the informal complaint mechanism will also in no way prevent an individual from pursuing the formal complaint process at any time.

5.2 Regardless of the approach (formal or informal), all reports of discrimination, harassment, sexual harassment, or abuse of authority will be handled with sensitivity and confidentiality to protect the privacy of all individuals concerned.

Informal process

5.3 An informal approach offers the opportunity to resolve a complaint or grievance in an open, good-faith, non-threatening and non-contentious manner including:

5.4 Approaching the alleged offender: A person who feels he/she has been the victim of discrimination, harassment, sexual harassment or abuse of authority may on a voluntary basis, if they feel comfortable and safe doing so, approach alleged offenders about inappropriate behaviour or instances of possible sexual harassment. That person may not be aware that his/her behaviour is offensive and, having had this pointed out, may change behaviours in a positive manner. There are situations where a person who feels he/she has been the victim of discrimination, harassment, sexual harassment or abuse of authority will be reluctant to approach the alleged offender, including situations of disparity in power or status, hence there is no requirement to take this particular step.

5.5 Involvement of a third party: Either the person who feels he/she is a victim of discrimination, harassment, sexual harassment or abuse of authority or, once the matter has been brought to his/her attention, the alleged offender, may choose to involve a third party in trying to resolve the situation. This third party, with the knowledge of the Executive Director, can serve a role to help facilitate a calm and respectful discussion between the parties and to offer suggestions for a way forward. The third party can be, for example, the complainant’s manager or another supervisor; a human resources professional at the duty station; a staff counselor; a peer support volunteer; or a staff representative of the office/division concerned.

5.6 It is vital that the third party ensures that confidentiality is respected at all times. The third party should be fully familiar with this directive. The third party should be aware that sometimes the best form of assistance is a referral to a more appropriate resource within ITTO. The third party should always act with complete neutrality towards both the complainant and the alleged offender. If a third party is uncertain about what suggestions to make to the parties, he/she should withdraw.

5.7 An unsuccessful attempt to resolve the matter informally does not preclude it from being formally pursued under the following provisions.

Formal process

Filing a complaint

5.10 Any person may file a complaint in good faith. If the person making the report chooses to report on an anonymous basis, the reporter must provide sufficient information concerning the basis of the allegations and sufficient detail or supporting factual basis such that the matter can be adequately pursued.

5.11 The complaint should be submitted in writing, be signed and dated, to the Director of Operations (“Reviewing Official”) within six months from the most recent alleged incident. In the event the complaint involves the Director of Operations, the complaint should be made to the Executive Director, who shall be the Reviewing Official. In the event the complaint involves the Executive Director, the complaint should be made to the ITTC Chairperson, who shall be the Reviewing Official. With due regard to the right to anonymous reporting provided in section 5.10, complainants are encouraged to include in their submissions the following information:

- (a) the name of the alleged offender;
- (b) the date(s) and location(s) of the alleged incident(s) of discrimination, harassment, sexual harassment, or abuse of authority;
- (c) the names of witnesses and any physical and/or documentary proof in support of the allegation (e.g., e-mails, message recordings, photos, letters, medical exams); and
- (d) any other relevant information.

5.12 The filing of a complaint only upon notification of a particular administrative decision that the complainant wishes to challenge may cast doubt on the credibility of the allegations of discrimination, harassment, sexual harassment or abuse of authority, if no documented informal resolution or formal reporting of harassment-related incidents was made prior to the administrative decision. However, such prejudice will not apply to claims of retaliation separately made pursuant to the ITTO Whistleblower Policy.

Preliminary assessment

5.13 Upon receipt of a formal complaint, the Reviewing Official will conduct a preliminary assessment of the complaint and discuss with the complainant the benefits of considering an informal resolution.

5.14 The complainant will be interviewed by the Reviewing Official in order to:

- (a) clarify the allegation(s) is made in good faith;
- (b) ensure that the complaint pertains to allegations of discrimination, harassment, sexual harassment or abuse of authority;
- (c) ensure that all available evidence is submitted; and
- (d) consider the possibility of informal resolution.

5.15 If the Reviewing Official concludes that the complaint in question was 1) made in good faith and 2) if supported by fact, would constitute misconduct under this policy, he/she will refer the complaint to the external investigative entity described in Section 5.18, providing prompt notification to all parties involved.

5.16 If the Reviewing Official does not find the report was made in good faith or, even if supported by fact, would not constitute misconduct under this particular policy, the Reviewing Official shall close the case and report the determination to all relevant parties, as appropriate. If appropriate, the Reviewing Official may direct the complainant to other potentially relevant staff policies and complaint mechanisms.

Interim measures

5.17 When necessary, the Reviewing Official may suggest to the Executive Director, as applicable, that interim measures be taken on a temporary basis, for example measures to physically or hierarchically separate the alleged offender and the complainant on a temporary basis. This may include the identification of alternative duties, the consideration of special leave for either the alleged offender or the complainant, or administrative leave for the alleged offender.”

Investigation

5.18 Complaints determined by the Reviewing Official to require full investigation shall be referred, in consultation with the Executive Director and/or ITTC Chairperson, as appropriate, to a duly qualified professional investigative entity (such as the investigative function of a UN system organization, an independent consultant, or a competent private legal entity) in a neutral and factual manner for full investigation. ITTO shall additionally ensure the availability of adequate financial resources to cover the costs of such investigations.

5.19 The selected investigative entity shall be granted full, unimpeded access to all individuals or information it deems pertinent to the investigation. All staff members, non-staff personnel, and other third parties covered under this policy are required to cooperate fully with investigations. ITTO vendors and executing agencies are required to ensure that their personnel and agents (including their attorneys, accountants, and other advisers) also cooperate fully with such investigations.

5.20 The selected investigative entity will within a reasonable amount of time but no more than 90 calendar days from date of receipt investigate the claim(s) to determine whether there is sufficient evidence to support the allegation of discrimination, harassment, sexual harassment or abuse of authority and submit a detailed report on the outcome of its investigation to the Reviewing Official, who shall copy all parties to the complaint, the Executive Director, and the ITTC Chairperson.

Actions Following the Investigation

5.21 If the investigative entity determines that sufficient evidence exists to support a finding that misconduct

under this policy occurred, the Executive Director shall commence disciplinary proceedings in accordance with the ITTO Staff Regulations and Rules. In the event that the claim concerns the Executive Director, the ITTC Chairperson shall, in consultation with the full Council, determine the most appropriate action to be taken.

5.22 If the report indicates that there was a factual basis for the allegations but that, while not sufficient to justify the institution of disciplinary proceedings, the facts would warrant managerial action, the Executive Director or ITTC Chairperson will decide on the type of managerial action to be taken, inform the staff member concerned, and make arrangements for the implementation of any follow-up measures that may be necessary. Managerial action may include mandatory training, counselling, formal reprimand, a change of functions or responsibilities including re-assignment, or other appropriate corrective measures.

5.23 If the investigative entity determines that there is insufficient evidence to support the allegation of discrimination, harassment, sexual harassment or abuse of authority, the Reviewing Official shall close the case with a closure memo, providing a copy to the Executive Director.

5.24 In all events, the Reviewing Official, Executive Director, or ITTC Chairperson, as appropriate, will inform the complainant of the outcome of the investigation and of the action taken,

Complaints Made in Bad Faith

5.24 If at any stage of the process it is determined that the allegations of discrimination, harassment, sexual harassment and abuse of authority were unfounded and based on malicious intent, the Executive Director may decide to initiate disciplinary or other appropriate action against the complainant.

Appeals

5.25 Where a complainant or alleged offender has grounds to believe that the procedure followed or administrative action taken in respect of the allegations of discrimination, harassment, sexual harassment or abuse of authority was improper, he/she may appeal pursuant to chapter 8 of the ITTO Staff Regulations and Rules.

Section 6 Miscellaneous

6.1 Resignation of the alleged offender: If the alleged offender opts to resign from ITTO pending investigation, ITTO cannot force him/her to remain employed if he/she wishes to resign. In such an event, a note for the record will be placed in the Personnel File of the staff member, disclosing that he/she resigned while under investigation for allegations of discrimination, harassment, sexual harassment or abuse of authority. Such an individual will be banned from work with ITTO under any contractual modality unless he/she is fully cleared from the allegations of misconduct raised against him/her. If a Secretariat personnel resigns during investigation, the Executive Director will ensure that the investigation is concluded despite the resignation of the alleged offender.

6.2 ITTO's Legal Adviser will be kept advised of the progress of the investigation and of the matter generally, and will at relevant times determine whether a referral to criminal authorities is appropriate. Any such referral will be made in accordance with standard procedures for such referrals.

Section 7 Monitoring

7.1 The Director for Operations, in collaboration with Heads of Divisions, will provide periodic reports as necessary to the Executive Director, which will include an overview of all preventive measures taken with a view to ensuring a harmonious work environment and protecting Secretariat personnel from prohibited conduct, and corrective measures taken under section 5, as well as any evaluations or assessments relating to such measures and/or activities.

7.2 In the interest of transparency, the Executive Director will inform the International Tropical Timber Council on decisions taken, including those in relation to discrimination, harassment, sexual harassment and abuse of authority, in the course of the preceding year. He/she may from time to time publish a circular of cases of discrimination, harassment, sexual harassment and abuse of authority that have been investigated and have led to the imposition of a disciplinary measure.

ITTO Vendors, Consultants, and Procurement Policy

ITTO suppliers, vendors, consultants, contractors, and executing agencies are expected to maintain the highest standard of conduct in connection with their engagement with ITTO. A commitment to the highest ethical standards is a major consideration in the selection of individual consultants and contractors at ITTO.

ITTO suppliers, vendors, consultants, contractors, and executing agencies are also expected to adopt and enforce robust policies combatting fraud, corruption, discrimination, and harassment, as well as to ensure that anti-retaliation/ whistleblower policies are in place. These policies are expected to be no less stringent than those of the ITTO's own Governance Policies.

ITTO vendors and executing agencies are required to ensure that their personnel and agents (including their attorneys, accountants, and other advisers) also cooperate fully with relevant ITTO investigations to counter fraud, corruption, discrimination, and harassment.

The ITTO Director of Operations and the ITTO Finance/Administrative Officer will bear primary responsibility for ensuring that vendors meet these expectations.

Data Protection Policy

International Tropical Timber Organization (ITTO)

| | |
|--------------|----------------|
| Last updated | 7 October 2022 |
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Definitions

| | |
|----------------------------|---|
| Organization | The International Tropical Timber Organization (ITTO) |
| GDPR | The General Data Protection Regulation 2018 (GDPR) |
| Responsible Person | The Director of Operations |
| Register of Systems | Register of all systems or contexts in which personal data is processed by the Organization |

1. Data protection principles

The Organization is committed to processing data in accordance with its responsibilities under the GDPR.

Article 5 of the GDPR requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals;
- b. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or

statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and

- f. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.”

2. General provisions

- a. This policy applies to all personal data processed by the Organization.
- b. The Responsible Person shall take responsibility for the Organization’s ongoing compliance with this policy.
- c. This policy shall be reviewed at least annually and updated as appropriate and/or necessary.
- d. The Organization shall register with the Information Commissioner’s Office (ICO) as an organization that processes personal data.

3. Lawful, fair and transparent processing

- a. To ensure its processing of data is lawful, fair and transparent, the Organization shall maintain a Register of Systems.
- b. The Register of Systems shall be reviewed at least annually.
- c. Individuals have the right to access and rectify or erase their personal data, the right to data portability and the right to confidentiality of electronic communications, and any such requests made to the Organization shall be dealt with in a timely manner.

4. Lawful purposes

- a. All data processed by the Organization must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests ([see ICO guidance for more information](#)).
- b. The Organization shall note the appropriate lawful basis in the Register of Systems.
- c. Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data.
- d. Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in the Organization’s systems.

5. Data minimisation

- a. The Organization shall ensure that personal data are adequate, relevant and limited to

what is necessary in relation to the purposes for which they are processed.

6. Accuracy

- a. The Organization shall take reasonable steps to ensure personal data is accurate.
- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

7. Archiving / removal

- a. To ensure that personal data is kept for no longer than necessary, the Organization shall put in place an archiving policy for each area in which personal data is processed and review this process annually.
- b. The archiving policy shall consider what data should/must be retained, for how long, and why.

8. Security

- a. The Organization shall ensure that personal data is stored securely using modern software that is kept-up-to-date.
- b. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information.
- c. When personal data is deleted this should be done safely such that the data is irrecoverable.
- d. Appropriate back-up and disaster recovery solutions shall be in place.

9. Breach

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the Organization shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO ([more information on the ICO website](#)).

END OF POLICY

Interpretation of the ITTO Financial Rules

This document summarizes the interpretation of the ITTO Financial Rules, for the purpose of complying with the EU's Pillar Assessment requirement on Exclusion from access to funding and publication of information on recipients. This document is an integral part of the financial rules, approved by the management of ITTO and is submitted for endorsement by the Committee on Finance and Administration.

1. The listed reasons below for third party exclusion from funding are taken into account in the application of "5. Accreditation of suppliers", para.8 under ITTO Tender and Procurement Procedures (Annex 7 of the ITTO Financial Rules).
 - a) bankruptcy, insolvency or winding-up procedures;
 - b) breach of obligations relating to the payment of taxes or social security contributions;
 - c) grave professional misconduct, including mis-representation
 - d) fraud;
 - e) corruption;
 - f) conduct related to a criminal organization;
 - g) money laundering or terrorist financing;
 - h) terrorist offences or offences linked to terrorist activities;
 - i) child labor and other trafficking in human beings;
 - j) irregularity
 - k) creating a shell company;
 - l) being a shell company
2. Proportionality is taken into account in the application of "1.2 PROCUREMENT DELEGATIONS" under ITTO Financial Delegations and Disbursements Procedures (Annex 6 of the ITTO Financial Rules).
3. The right of defense is taken into the account in the application of "2.1 UNDERLYING DOCTRINES" under ITTO Financial Delegations and Disbursements Procedures (Annex 6 of the ITTO Financial Rules).
4. The assessment of remedial measures is taken into account in the application of the "5. Accreditation of suppliers", para.8 under ITTO Tender and Procurement Procedures (Annex 7 of the ITTO Financial Rules).
5. Elements of elements: name, locality, nature and purpose and amount and exemptions for justified grounds are taken into account in the application of Rule 26 of the ITTO Financial Rules, second edition.
 - a) the entity may waive publication for reasons of confidentiality and security, for example if publication would threaten the rights and freedom of individuals or harm the recipient's commercial interest; or
 - b) the entity may waive publication where the contracts are for low amounts
6. The information regarding disbursement of funds to individual funds and suppliers is published annually, and ITTO will make efforts to continue integrating its guidelines with relevant international standards where and when applicable.