|  |  |
| --- | --- |
|  | **Document CWG-FHR-20/26** |
| **5 February 2025** |
| **English only** |
|  |  |
| Contribution by Regional Commonwealth in the Field of Communications (Executive Committee) |
| PROPOSALS RELATED TO THE CODE OF CONDUCT AT ITU EVENTS |
| **Purpose**The contribution aims to clarify and focus the discussions and possible further work regarding the application of “Code of conduct to prevent harassment, including sexual harassment, at UN System events” at ITU events.**Action required**The Council Working Group on financial and human resources is invited to **consider** the proposals outlined in this document.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Reference** [*The UN Code of Conduct to prevent harassment, including sexual harassment, at UN system events*](https://www.un.org/en/content/codeofconduct/)*; Report by the Secretary-General “Code of Conduct at ITU events – Working together for a culture of respect”(Document* [*CWG-FHR-20/17*](https://www.itu.int/md/S25-CWGFHR20-C-0017/en)*)* |

# 1 General information

During its session in 2024 ITU Council approved the report by the Chair of the Standing Committee on Administration and Management (Doc. [C24/109](https://www.itu.int/md/S24-CL-C-0109/en)), where the Committee recommended that the Council:

– endorse the concept of a code of conduct for ITU events;

– instruct the secretariat to prepare a preliminary draft code of conduct for ITU events for further development by CWG-FHR, and

– request CWG-FHR to submit a finalized draft code of conduct for ITU events for consideration at the 2025 session of the Council.

During its meeting in October 2024, CWG-FHR considered the corresponding proposed “ITU Code of Conduct to prevent harassment, including sexual harassment, at ITU events” (hereinafter referred to as the ITU Code) prepared by the Secretariat (Doc. [CWG-FHR-19/4](https://www.itu.int/md/S24-CWGFHR19-C-0004/en)) that was said to be based on the Code of Conduct for UN System events, similar codes from other UN organizations, the APT Code of Conduct, and the proposal from Australia for the 2024 ITU Council session (Doc. [C24/78](http://www.itu.int/md/S24-CL-C-0078/en)).

There was no consensus on the proposed ITU Code, including but not limited to its possible scope and applicability, and also taking into account the lack of information on the application of “Code of Conduct to prevent harassment, including sexual harassment, at UN System events” (hereinafter referred to as the UN Code) in other UN system organizations, further work of the Secretariat was requested, i.e. by the next meeting of the CWG-FHR to submit *a proposal on implementing the model UN System Code of Conduct for the ITU* (for details see Doc. [CWG-FHR-19/15](https://www.itu.int/md/S24-CWGFHR19-C-0015/en)).

# 2 Status

For the consideration of the February 2025 CWG-FHR meeting, the Secretariat *prepared a revised ITU Code of conduct to prevent harassment, including sexual harassment at ITU events* and *the results of Benchmarking Exercise* on the UN Code application in other organizations, including three ones of the UN system (Doc. [CWG-FHR-20/17](https://www.itu.int/md/S25-CWGFHR20-C-0017/en)).

Based on the Council’s request and progress assessment of related discussions during the October 2024 CWG-FHR meeting, it is obvious that further attempts will be made to implement the UN Code at the ITU events through the application of either the UN Code itself or its revised version based on the proposals of ITU members i.e. the ITU Code.

# 3 Assessment

3.1 Members of the Regional Commonwealth in the Field of Communications (RCC) during the meeting of the RCC Working Group on cooperating with ITU, discussed issues related to the possibility of applying the UN Code at ITU events and concluded that its substantive part seems not to be sufficient in terms of balance.

The main observation was that the Code does not disclose the right to file and does not contain provisions regarding an appeal against accusations and/or the agreement/disagreement of the Member State or Sector Member with the adequacy or validity of the response to possible violations, which may subsequently lead to a complete blocking of the possibility of the so-called "perpetrator" – a representative of the Member State or Sector Member, to participate in the meetings of the Union.

3.2 Having considered the discussion mentioned in 3.1. above and being mindful of the conclusion of the CWG-FHR Chairman made in her report of the previous Group’s meeting that “To reach consensus, the CWG-FHR should recommend deviations or additions to the UN System Code of Conduct only if necessary to implement due to unique factors pertaining to the ITU”, the RCC Executive Committee has prepared a revision of the draft ITU Code contained in Document [CWG-FHR-20/17](https://www.itu.int/md/S25-CWGFHR20-C-0017/en) and submits it for consideration of the CWG-FHR as a Sector Member contribution by RCC.

**4. Proposal**

The authors of the contribution propose CWG-FHR the following:

1 To agree that all possible further attempts to proceed with drafting and possibly finalizing of draft ITU Code for consideration at the 2025 session of the Council must proceed from the premise that this Сode must not be legal or prescriptive and cannot in any way become legally effective.

2 With the agreement reached in line with the para. 1 of the “Proposal” section above to consider the proposals in the Annex to this contribution based on the conclusions made in the “Assessment” section in possible further drafting of the ITU Code.

Annex

CODE OF CONDUCT at ITU events

Purpose

1 The ITU is committed to enabling events at which everyone can participate in an inclusive, respectful and safe environment.

2 The ITU is guided by the highest ethical and professional standards, and all participants are expected to behave with integrity and respect towards all participants attending or involved with any ITU event.

Applicability

3 The Code of Conduct at ITU events (hereinafter referred to as the ITU Code of Conduct) applies to any ITU event, which shall include meetings, conferences and symposia, assemblies, receptions, scientific and technical events, expert meetings, workshops, exhibits, side events and any other forum organized, hosted or sponsored in whole or part by ITU wherever it takes place, and any event or gathering that takes place on ITU premises whether or not ITU is organizing, hosting or sponsoring.

4 The ITU Code of Conduct applies to all participants at an ITU event, including all persons attending or involved in any capacity in an ITU event.

5 The ITU commits to implementing the ITU Code of Conduct.

6 The ITU Code of Conduct is not legal or prescriptive in nature. It supplements, and does not affect, the application of other relevant policies, regulations, rules and laws, including laws regulating the premises in which the ITU event takes place and any applicable host country agreements.

Prohibited conduct

7 Harassment is any improper or unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person. Harassment in any form because of gender, gender identity and expression, sexual orientation, physical ability, physical appearance, ethnicity, race, national origin, political affiliation, age, religion or any other reason is prohibited at ITU events.

8 Sexual harassment is a specific type of prohibited conduct. Sexual harassment is any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation. Sexual harassment may involve any conduct of a verbal, nonverbal or physical nature, including written and electronic communications, and may occur between persons of the same or different genders.

Examples of sexual harassment include, but are not limited to:

– Making derogatory or demeaning comments about someone’s sexual orientation or gender identity

– Name-calling or using slurs with a gender/sexual connotation

– Making sexual comments about appearance, clothing or body parts

– Rating a person’s sexuality

– Repeatedly asking a person for dates or asking for sex

– Staring in a sexually suggestive manner

– Unwelcome touching, including pinching, patting, rubbing or purposefully brushing up against a person

– Making inappropriate sexual gestures, such as pelvic thrusts

– Sharing sexual or lewd anecdotes or jokes

– Sending sexually suggestive communications in any format

– Sharing or displaying sexually inappropriate images or videos in any format

– Attempted or actual sexual assault, including rape

Complaint process

9 A participant who feels that they have been harassed at an ITU event, and a participant who witnesses such harassment, may take any of the following actions:

– if the participant feels comfortable and safe, request that the individual immediately stop the harassment;

– if there is a personal security issue, contact on-site security;

– report the matter to the organizer of the ITU event from the ITU Secretariat, to take appropriate action.

10 Such reporting shall have no effect on any applicable rules and procedures that may apply in the ITU. The organizer of the ITU event from the ITU Secretariat will be expected to take appropriate action in accordance with its applicable policies, regulations and rules.

11 The organizer of the ITU event from the ITU Secretariat shall maintain the confidentiality of all communications received from participants reporting harassment and will be expected to take appropriate action in accordance with the applicable policies, regulations and rules.

12 The ITU Secretariat will develop standard operating protocol for fact-finding and actions that may be considered and/or taken following fact-finding.

13 Examples of appropriate action may include, but are not limited to:

– undertaking a fact-finding exercise regarding grounds of the accusation by the ITU Secretariat with the prompt notification of the employer and entity with jurisdiction over the person accused on the fact-finding exercise launch and its root causes, as well as adequate questioning of the person accused;

– conveying the complaint to any investigative or disciplinary authority with jurisdiction over the person accused of harassment;

– conveying a report to the employer and entity with jurisdiction over the person accused of harassment for appropriate follow-up action, including national authorities where appropriate;

– suspending or terminating the perpetrator’s access to the ITU event or refusing registration at future ITU events, or both, only upon agreement with the employer and entity with jurisdiction over the person accused.

13*bis* Abovementioned appropriate actions against a participant accused cannot be introduced without the consent of the employer and entity with jurisdiction over the person accused, and their recognition of the report on harassment as actual and complete, and the accused person as a perpetrator, and the case in question as a case of harassment.

14 The following general services may be contacted for confidential guidance or support:

– ITU Mediators: mediators@itu.int

– Staff Counsellor: staffcounsellor@itu.int

– ITU Medical Service: medical@itu.int

– Ethics Office: ethicsoffice@itu.int

– Security and Safety Division: security@itu.int

– Oversight Unit: itu.oversightunit@itu.int

15 The victim of harassment may also seek help from other relevant authority, such as the police, bearing in mind the applicable legal framework.

16 A participant should never knowingly make a false or misleading claim about prohibited conduct. If the accusations are found to be false, measures similar to those that can be taken against the accused person are to be taken against the person who made the knowingly false report of harassment.

Prohibition of retaliation

17 Threats, intimidation or any other form of retaliation against a participant who has made a complaint or provided information in support of a complaint are prohibited. The ITU will take any reasonable appropriate action needed to prevent and respond to retaliation, in accordance with its applicable policy, regulations and rules.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_