

# Administrative Instruction

Date: 27 January 2012  
To: All UNOPS personnel  
From: Jan Mattsson  
Executive Director,  
UNOPS  
AI Reference: AI/EO/2012/01  
Subject: **Prohibition of accepting gifts, honours, decorations, favours or non-UN remuneration or benefits from governmental and non-governmental sources**

## 1. Introduction and purpose

- 1.1. UNOPS personnel are prohibited from accepting gifts, honours, decorations, favours or any form of non-UN remuneration or benefits (hereinafter “benefits”) in the course of their official duties. Such benefits create obligations which in turn create conflicts of interest. Personnel must always refuse to accept them personally.
- 1.2. The purpose of this Administrative Instruction (AI) is to implement the prohibition of the receipt of such benefits from governmental or non-governmental sources. This AI describes a set of procedures that emphasizes to UNOPS personnel their obligations and simultaneously provides instruction to officials responsible for the management of this matter.
- 1.3. In the event of doubt as to the applicability of this policy in a given situation, UNOPS personnel are expected to seek guidance from the UNOPS’ Ethics Office.

## 2. Definitions

2.1. For the purposes of this AI, the following definitions shall apply:

- 2.1.1. *Personnel means:* staff members recruited under the United Nations Staff Rules and persons under other contractual arrangements such as contractors engaged under the Individual Contractor Agreement (ICA), interns and volunteers.
- 2.1.2. *Governmental source means:*
  - 2.1.2.1. Any unit of governmental authority, including any national, state, local and municipal government;
  - 2.1.2.2. Any intergovernmental organization; or
  - 2.1.2.3. Any agent or representative of a governmental authority or intergovernmental organization.
- 2.1.3. *Non-governmental source means:* any non-governmental organization, academic institution or any private source. Educational institutions will be considered as a non-governmental source.
- 2.1.4. *Honour means:* an award or recognition, tangible or intangible, given by a governmental or non-governmental source. Such honours may include, inter alia, medals, awards, plaques, certificates or scrolls.

- 2.1.5. *Decoration means*: an object that is awarded by a governmental or non-governmental source to honour the recipient in a very visible manner. Such decorations may include, *inter alia*, a medal, pin or ribbon.
- 2.1.6. *Favour means*: a special privilege or treatment granted to an individual by a governmental or non-governmental source.
- 2.1.7. *Gift means*: any item that has a physical form, offered to UNOPS personnel. The term includes minor gifts of essentially nominal value, but does not include:
- 2.1.7.1. Participation in official functions (such as meals and diplomatic receptions) for which UNOPS personnel are invited as a necessary part of their official functions). UNOPS personnel are expected to exercise judgement and to refrain from accepting invitations that are or could be perceived as inconsistent with the obligations and behaviour of UNOPS personnel;
  - 2.1.7.2. Participation in activities organized by governmental or non-governmental sources that have been authorized in advance by the Executive Director in which the organizing entity covers the accommodation, travel and subsistence allowance in line with that payable by UNOPS.
- 2.1.8. *Remuneration means*: any monetary compensation not associated with approved outside occupation or employment.
- 2.1.9. *Benefit means*: any of the above in this section, plus any other personal benefit or advantage, whether or not it can be expressed in money terms (for example, but without limiting this category), unnecessary or lavish hospitality, offers of career prospect assistance, help or assistance to family members or friends, or anything offered on a “you scratch my back, I’ll scratch yours” basis).

### **3. Scope of application**

- 3.1. This AI is applicable to all UNOPS personnel as per the definition provided in paragraph 2.1.1 above.

### **4. Obligations of UNOPS personnel**

- 4.1. In any matters concerning their work for the UN, UNOPS personnel are prohibited from receiving any benefit from any governmental or non-governmental source. When an offer is presented the appropriate response is for the individual to promptly decline with an explanation that it is a requirement in accordance with UNOPS personnel’s duties and obligations expected of international civil servants.
- 4.2. Subject to paragraph 4.3, however, UNOPS personnel may, in two exceptional circumstances, accept such benefits, not personally, but on behalf of UNOPS:
- a) When authorised in advance by the Executive Director (ED); or
  - b) When refusal would create serious embarrassment for UNOPS and/or the UN, and the seeking of prior approval has not been possible. The individual should indicate the giver that it is accepted on behalf of the Organization.

- 4.3. Procurement personnel may never accept benefits from vendors, unless, exceptionally, the ED approves in advance such acceptance as being in the interest of the organisation.
- 4.4. When benefits are accepted under paragraph 4.2 (a) or (b), the person receiving the benefit must report that receipt to the Ethics Officer by filling the [form annexed](#) to this AI, and emailing it to [ethicsofficer@unops.org](mailto:ethicsofficer@unops.org), immediately. The Ethics Officer will give directions on disposal of the benefit. Failure to file the form within seven days of receipt, or failure to follow the Ethics Officer's directions on disposal, amounts to misconduct, and disciplinary or administrative action may follow.
- 4.5. When requested, the Deputy Regional Directors in their respective regions, and the Director, Corporate Support Services (for HQ), will assist the Ethics Officer in the disposal of the benefits in question.
- 4.6. Any UNOPS personnel expecting to receive or to be offered any benefit should consult the Ethics Office.

## **5. Final provisions**

- 5.1. Nothing in this AI shall be considered a waiver of UNOPS' staff members' responsibilities under the United Nations Staff Regulations and Rules.
- 5.2. This AI supersedes and replaces paragraph 1.8.2 on "Gifts and Hospitality" of the UNOPS Procurement Manual (rev. 4), issued 20 August 2010.
- 5.3. This AI shall enter into force on **1 April 2012**.