

UNITED NATIONS OFFICE FOR PROJECT SERVICES

Headquarters, Copenhagen
Revision 2: 19 May 2010

ORGANIZATIONAL DIRECTIVE NO. 23 (Revision 2)

POLICY ON FINANCIAL DECLARATION STATEMENTS

Introduction:

The present Organizational Directive (OD) implements Staff Regulations 1.2 (m) and (n), as amended by General Assembly resolution 60/238 of 15 February 2006, and Staff Rules 1.2 (p) and (q). This OD is aligned with the Secretary-General's bulletin on "Financial disclosure and declaration of interest statements" (reference ST/SGB/2006/6).

1. Definitions

1.1 The following definitions shall apply for purposes of this policy:

- (a) *Spouse*: an individual whose personal status has been recognized as such for purposes of United Nations entitlements;
- (b) *Relative*: a spouse, father, mother, son, daughter, brother or sister;
- (c) *Stock Option*: a right or option to buy a specific number of shares at a later date and price;
- (d) *UNOPS Focal Point for Financial Declaration*: UNOPS Ethics Officer;
- (e) *Third Party Administrator (TPA)*: An independent service provider which may serve to (a) collect, file, and report on the outcomes of the financial declaration forms, and (b) advise the UNOPS Focal Point regarding best practices that may be considered for implementation, with respect to the financial declaration policy and practice.

2. **Who is obliged to file a financial declaration statement?**

2.1 Financial Declaration Statement

2.1.1 The following UNOPS personnel¹ have an obligation to file an annual financial declaration statement:

- (a) All internationally-recruited staff members at the P-5 to D-2 levels. (Personnel at the Assistant Secretary-General level and above, as well as those serving in the Ethics Office are subject to the UN Secretariat financial disclosure policy.);
- (b) All UNOPS personnel who are procurement specialists, or whose principal occupational duties are the procurement of goods and services for UNOPS in all HQ divisions, regional offices, operations centres, project centres and projects having the delegation of authority (DOA) to effect procurement orders. Principal occupational duties include those individuals for whom expected procurement activities comprise more than 40% of their normal prescribed duties;
- (c) All operations centre directors, project centre managers and cluster managers;
- (d) All project/portfolio managers;
- (e) All Headquarters Contracts and Property Committee (HQPC) and Local Contracts and Property Committee (LCPC) members and secretaries;
- (f) All UNOPS personnel whose principal occupational duties relate to the investment of the assets of UNOPS or of any accounts for which UNOPS has fiduciary or custodial responsibility. Principal occupational duties include those individuals for whom expected investment activities represent an excess of 40% of their normal prescribed duties;
- (g) UNOPS internal auditors;
- (h) Other UNOPS personnel, subject to exception at the discretion of Regional Directors or Directors at HQ, whose direct access to confidential procurement or investment information or whose engagement in procurement activity for a limited duration or under specific exceptional circumstances, warrants the completion of a financial declaration statement.

2.1.2 The Regional Directors or Directors at HQ shall recommend/propose the individual UNOPS personnel who shall file financial declaration statements as listed above and provide the names and such other personnel information to the UNOPS Focal Point for

¹ “UNOPS personnel” shall mean staff members recruited under the United Nations Staff Rules and individuals under other personnel arrangements such as contractors under the Individual Contractor Agreement (ICA) contracts.

Financial Declaration. The UNOPS Focal Point for Financial Declaration shall inform all those individuals of the requirement. Any individual who believes that he or she should not be required to file a financial declaration statement shall seek clarification from their Regional Director or Director at HQ. If after the clarification from the Regional Director or Director at HQ, the individual is still of the view that he/she should not be required to file a financial declaration statement, he/she may request a review from the UNOPS Focal Point for Financial Declaration by completing the “[Request for Exemption to File Financial Declaration Statement Form](#)”. If the UNOPS Focal Point for Financial Declaration decides that the individual must complete a financial declaration statement, the said individual must do so within the time frame established by the UNOPS Focal Point. Failure by staff members or other personnel to comply will lead to disciplinary action or administrative remedies respectively. The decision of the UNOPS Focal Point on this matter is final.

2.2 Clarifications/Additional information

- 2.2.1 The TPA shall advise and liaise with the individual UNOPS personnel in the event any information included in the UNOPS personnel financial declaration statement needs clarification.
- 2.2.2 UNOPS personnel are required to respond promptly to inquiries made by the TPA or other designated agent about items reported in the statements, and are required to cooperate promptly with any verification exercise, which may require that personnel submit supporting documents. Failure by staff members or other personnel to respond to follow-up or verification inquiries could lead to disciplinary action or administrative remedies respectively.

3. **What is the scope of financial declaration statement with respect to UNOPS personnel, their spouses and dependent children?**

- 3.1 UNOPS personnel who are required to file a financial declaration statement under paragraph 2.1 above shall report the following in respect of (i) themselves, (ii) their spouse (if any), and (iii) dependent children (if any):
 - (a) Assets held that have a market value of \$10,000, or above, per asset, or the equivalent in local currency at the UN operational rate of exchange. Assets include but are not limited to stocks, bonds, mutual fund investments and real estate². Personal property³ should be reported only if it is held for investment or business purposes. Personal property includes, but is not limited to, items such as motor vehicles, boats, livestock, furniture, carpets, jewelry, and art;

² The term “real estate” means land and buildings such as houses, apartments, farms and shops. In some jurisdiction, “real estate” is also called “real property”.

³ The term “personal property” means all property other than “real estate”. In some jurisdiction, “personal property” is also called “personal effects”, “movable property” and “goods and chattel”.

- (b) Any profit of more than \$10,000 on the sale of personal property that is held for investment or business purposes;
- (c) All stock options, publicly listed or private, regardless of value;
- (d) Income earned from sources other than UNOPS in the reporting period, including from investments listed in Section 3.1(a) above, any form of deferred emoluments from prior employment (but excluding United Nations pension benefits received from prior employment), or profit shares from prior employment partnerships, if the total of all such income is over \$10,000 in the reporting period;
- (e) Any form of supplement, direct or indirect, to UNOPS emoluments, including provision of housing or subsidized housing, or any gift, per diem, reimbursements, entertainment or travel expenses, favour, benefit, remuneration or in kind contribution from any Government, governmental agency or other non-United Nations source (see Section 3.4.2) aggregating \$250 or more from a single source during the reporting year, other than dependency benefits under national laws, travel and per diem for approved outside activities and residential accommodation that has been accepted by UNOPS for its personnel. Gifts from relatives are not required to be reported;
- (f) Liabilities over \$50,000 owed to any creditor, including a mortgage on the UNOPS personnel's personal and/or vacation residence, as well as liability to a former spouse. Liabilities owed to a parent, sibling, or dependent child are excluded;
- (g) Involvement in any other activity, whether or not the activity is subject to approval under the applicable United Nations Staff Regulations and Rules, that could have an impact on the objectivity or independence of the UNOPS personnel in the performance of duties for UNOPS or otherwise affect the image or reputation of UNOPS or the United Nations (see Section 3.4.3);
- (h) A spouse's or dependent child's financial or other interest in, or association with, any entity with which the UNOPS personnel may be required to have dealings on behalf of UNOPS, or any entity which has any commercial interest in the work of UNOPS or a common area of activity with UNOPS.

3.2 UNOPS personnel who are required to file a financial declaration statement under section 2 above shall also report the following:

- (a) Any relatives employed in the United Nations system.
- (b) Any leadership or policymaking role of UNOPS personnel in any non-United Nations entity (including membership on any corporate board).

3.3 UNOPS personnel who are not able to comply with the disclosure requirements in respect of their spouse or child shall submit a detailed justification to the UNOPS Focal Point for Financial Declaration. The UNOPS Focal Point for Financial Declaration shall consider whether such justification is reasonable, with regard to the particular circumstances of each case, and may make recommendations to the UNOPS personnel and/or to the Executive Director in respect of each case. The TPA may also provide advice regarding best practices in this regard.

3.4 Additional Considerations

3.4.1 All personnel must comply with Article I and Chapter 1 of the United Nations Staff Regulations and Rules setting forth the duties, obligations and privileges of staff, which include norms regarding conflict of interest (Staff Regulation 1.2(m) and Staff Rule 1.2(p)). The obligation on the part of a specific group of personnel of UNOPS to file financial declaration statements (see Section 2) does not eliminate or limit in any way the obligation on the part of all personnel to abide by the regulations/rules concerning conflict of interest and related duties and obligations.

3.4.2 Personnel should ensure that they are aware of, and act in accordance with, Staff Regulations 1.2 (j), (k) and (l), Staff Rules 1.2 (k), (l), (m), (n) and (o) concerning the receipt of honours, gifts or remuneration from governmental or non-governmental sources.

3.4.3 Personnel should ensure that they are aware of, and act in accordance with, Staff Regulation 1.2 (f) concerning, inter alia, the prohibition against engaging in any activity that is incompatible with the proper discharge of their duties.

3.4.4 Personnel should be aware of the requirement in Staff Regulation 1.2 (o) to obtain the prior approval of the Secretary-General to engage in an outside employment or activity, whether remunerated or not. Personnel should also be aware of Staff Regulation 1.2 (m) prohibiting personnel from active association in the management of a profit-making business or other concern where there is the possibility of a conflict of interest.

3.4.5 Individual contractors should ensure that they are aware of, and act in accordance with, the standards of conduct required of United Nations civil servants⁴.

4. Applicable Date for Values and Rates of Exchange

4.1 For the purposes of making the statements required pursuant to the present policy, the applicable date for all values and rates of exchange is the date of disclosure. UN operational rate of exchange will be used for all calculations.

⁴ Reference: Organizational Directive No. 21 (Individual Contractor Agreement (ICA) Policy)

5. Filing Procedures

5.1 Form

5.1.1 UNOPS personnel who are required to file a financial declaration under Section 2 above shall do so in the financial declaration form available to UNOPS personnel on the UNOPS intranet at:

<https://intra.unops.org/Global/ethics-officer/Pages/FinancialDeclaration.aspx>

5.2 Deadlines

5.2.1 UNOPS personnel who are required to file annual financial declaration pursuant to the present policy shall do so by 31 March or such later date as determined by the UNOPS Focal Point for Financial Declaration in respect of the period from 1 January to 31 December of the previous year.

5.3 Recipient of Statements

5.3.1 All statements are lodged with the designated TPA.

5.4 Initial Submission Following Appointment

5.4.1 Any person offered an appointment at a level or position that would require financial declaration pursuant to Section 2 above, shall file an initial financial declaration statement within 30 days of his/her effective start date (EOD or equivalent). Such a statement shall be made in respect of the immediately preceding 12-month period. Failure to submit an initial statement may result in a withdrawal of the offer of or termination of the appointment.

6. Confidentiality

6.1 The UNOPS Focal Point for Financial Declaration shall ensure that the security of the reporting facility for financial disclosure and declaration of interest statements is maintained. The statements are confidential and will be accessible to and used only by the Executive Director, the UNOPS Focal Point for Financial Declaration, the designated TPA, or by offices or persons specifically authorized in writing by the Executive Director.

7. Obligations of UNOPS personnel

7.1 UNOPS personnel filing and/or making disclosures pursuant to the terms of the present policy shall submit accurate reports and certify that the information disclosed is true,



correct and complete to the best of their knowledge and belief. Disciplinary measures or administrative remedies may be taken against UNOPS staff members or other personnel respectively who knowingly make false statements or provide inaccurate information.

8. Final Provisions

8.1 This revised OD 23 is effective **1 June 2010**.

8.2 The UNOPS Focal Point for Financial Declaration may be authorized to issue Administrative Instructions (AIs), Guidance Notes (GNs), or advisories to effect the implementation of this Directive.

A handwritten signature in black ink, appearing to read "J. Mattsson", written over a horizontal line.

Jan Mattsson
Executive Director, UNOPS