

UNITED NATIONS OFFICE FOR PROJECT SERVICES

Headquarters, Copenhagen
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ORGANIZATIONAL DIRECTIVE No.30

Information Disclosure Policy

1. Introduction

- 1.1. The United Nations Office for Project Services (UNOPS) recognizes that accountability and transparency are fundamentally important to carrying out its mandate as an integral part of the United Nations system. As a steward of public funds directly accountable to its governing body and to UNOPS partners - UN system organizations, international financial institutions, intergovernmental organizations, governments, and non-governmental organizations - UNOPS is committed to operate in an open and transparent manner in order to demonstrate results that matter and inspire confidence in its partners and the public at large.
- 1.2. The UNOPS Information Disclosure Policy (hereinafter referred to as the “Policy”) is based on the following key principles:
 - (a) Maximizing Access to Information.
 - (b) Distinguishing Accessible from Available Information.
 - (c) Indicating a clear list of “Exceptions”.
 - (d) Safeguarding Deliberative Processes and Disclosure Policies of Partners UNOPS Serves.
 - (e) Establishing an Appeals Process.
- 1.3. The Policy is intended to ensure that information concerning UNOPS operations is available to the public, except for limited information that is deemed confidential as set out in this Policy. For the purposes of this Policy, *information* is defined as printed or electronic materials that provide knowledge about UNOPS activities.
- 1.4. Key components of the Policy include:
 - (a) Identification of Accessible Information - many of the categories of documents that UNOPS has already made public or commits to so doing.

- (b) Development of a time frame for responding to requests for Available Information – i.e., information not already publicly accessible.
- (c) Identification of specific conditions for nondisclosure of information.
- (d) Description of the mechanism under which requestors may appeal a denial of disclosure.

2. Accessible Information

- 2.1. UNOPS understands the importance of making information accessible and will increasingly place materials on its website, www.unops.org . Where possible search facilities and filters will be provided in order to enable users to easily locate the information they require. The website will also display clear contact details so users can request further information.
- 2.2. UNOPS is committed to providing corporate information on its website in English, French and Spanish, however project documents, contract awards and other documents originating in local or regional offices will not always be translated.
- 2.3. The type of information normally accessible to the public through UNOPS website includes, but is not confined to:
 - (a) **Host country agreements**
When UNOPS establishes long-term relationships to be present and carry out activities in a particular country with the Governments of that country, the terms and conditions of such a relationship is governed by a Host Country Agreement (HCA).
 - (b) **Common Country Assessments/ United Nations Development Assistance Frameworks (CCA/UNDAF)**
The CCA/UNDAF sets the framework for the operational activities of the UN system in many programme countries. This is a Government-originated document prepared by representatives of the Government in consultation with the UN Country Team, which is led by the UN Resident Coordinator. A contribution to the country's analytic work and the UNDAF are mandatory products, unless there is only one UN agency resident in the country, or the country is in or emerging from a crisis situation, in which case the UN contribution may be to support a post-conflict needs assessment.
 - (c) **Offices**
UNOPS has offices around the world. Information about the role of UNOPS Headquarters and all Regional Offices, Operations Centres and Project Centres will be listed along with contact details.

- (d) **Partners**

UNOPS supports other members of the UN family, international financial institutions, intergovernmental organizations, governments and non-governmental organizations implement their projects worldwide. A breakdown of UNOPS main partners, including the share they make up of UNOPS portfolio, will be listed.
- (e) **Project Data**

A list of all the projects UNOPS is implementing which will include the project name, funder, partner and country in which the project is being implemented. The total project budget and the amount dispersed will also be displayed. As information systems are integrated more project data will be added, allowing users to filter for project type and specific operational environments. When possible, selected project documents will be posted directly on the website.
- (f) **UNOPS Executive Board**

All documentation provided for Executive Board meetings will be available on the website prior to each session. The documents cover a wide range of issues – policy and strategic, financial, budgetary, administrative, operational matters, and organizational and procedural issues. A permanent record of all deliberations and decisions of the Board is also available on the Executive Board website.
- (g) **UNOPS Executive Office**

The Annual Report of the Executive Director to the Executive Board, as well as all public statements and speeches by the Executive Director and senior management will be available to the public on the website.
- (h) **UNOPS Policies and Procedures**

The policies and procedures that govern the way UNOPS organizes itself and operates are established by Organizational Directives and Administrative Instructions. Relevant policies will be posted in a timely manner on the website as will revisions to existing policies.
- (i) **UNOPS Financial Information**

All relevant documentation on UNOPS budgets approved by the Executive Board, including the financial report and audited financial statements, the annual review of the financial situation and the annual report of UNOPS Office of Audit and Investigations. External audit reports will also be listed.
- (j) **UNOPS Procurement**

UNOPS procurement activities are guided by policies and procedures set out in the procurement manual that is available online. UNOPS makes public all its procurement solicitation notices over \$100,000 online. All contract awards will be listed irrespective of value, although in a limited number of cases some information

will be withheld if disclosure is likely to endanger the safety or security of any individual or vendor, violate his or her rights, or invade his or her privacy.

(k) **UNOPS Personnel**

A breakdown of UNOPS personnel, reflecting gender, origin, position etc and a listing of senior management positions with contact details. Where appropriate a staff directory will also be included.

3. Available Information

3.1. If a member of the public requests information not already publicly accessible, UNOPS will respond, to the extent feasible, to reasonable requests within 30 calendar days of receipt of the request. If that time frame will not be met, UNOPS will inform the requester in writing as to when a response will be provided, setting forth the reasons necessary for the extension of time to respond. If UNOPS denies the information request, it will provide a written statement to the requestor identifying the reasons for the denial.

4. Non-Disclosure

4.1. While UNOPS is committed to have an open and transparent disclosure system in place, there are legal, operational and practical considerations that are necessary to preserve the organization's interests, as well as those of its staff and its various partners. The exceptions below in sub-paragraphs (a)-(h) are in line with those adopted by the UN Secretariat, many UN Member States and international organizations, and are limited to what is necessary to preserve essential and legitimate public or private (e.g. personal privacy) needs. Information under the following categories is deemed confidential and not available to the public:

- (a) Information received from or sent to third parties, under an expectation of confidentiality. Because UNOPS provides services to partners, UNOPS shall not disclose information that would otherwise be non-disclosable according to its partner's policies, and UNOPS may refer requests to its partners where appropriate;
- (b) Information whose disclosure is likely to endanger the safety or security of any individual, violate his or her rights, or invade his or her privacy;
- (c) Information whose disclosure is likely to endanger the security of Member States or prejudice the security or proper conduct of any operation or activity of UNOPS;
- (d) Information, covered by legal privilege or disclosure of which might prejudice any internal, governmental, or legal investigation. Information provided in confidence to the Ethics Office;
- (e) Information related to access to internal audit reports, except when requests for internal audit reports are made by authorized representatives of Member States in accordance with applicable UNOPS legislation;

- (f) Internal information that, if disclosed, would or would be likely to compromise the integrity of UNOPS deliberative and decision-making process by inhibiting the candid exchange of ideas and communications, including internal documents, memoranda or e-mails, and other similar communications to or from UNOPS Managers, UNOPS personnel, and UNOPS contractors.
 - (g) Information exchanged, prepared for, or derived from the deliberative and decision-making process between UNOPS, its partners, and/or other entities with which UNOPS cooperates that, if disclosed, would or would be likely to compromise the integrity of the deliberative and decision-making process between and among UNOPS, its partners, and/or other entities with which UNOPS cooperates by inhibiting the candid exchange of ideas and communications.
 - (h) Drafts of all correspondence, reports, documents, agreements, contracts, emails, or any other forms of communication;
 - (i) Commercial information where disclosure would harm either the financial interests of UNOPS or those of other parties involved;
 - (j) Information which, if disclosed, in UNOPS view would seriously undermine the policy dialogue with Member States or implementing partners;
 - (k) Information requests: (i) which are not reasonable; (ii) which are excessive or overly burdensome; (iii) complying with which is not feasible; or (iv) are made with an abusive or vexatious purpose or by a vexatious or querulous individual.
- 4.2. Information that falls within any of the conditions set forth above may still be made public if UNOPS determines, under the particular circumstances, that the public interest in disclosing the information outweighs the harm that may be caused by such disclosure. Further, UNOPS reserves the right to deny disclosure of information under conditions not designated above if UNOPS determines that the harm in disclosing the information outweighs the public interest in disclosing the information.
- 4.3. UNOPS shall not be required to create or compile summaries of any documented information, and shall not be required to respond to requests seeking information that is already publicly available.

5. Appeals

- 5.1. Whenever a requester of information does not obtain the desired information, or if the information requested is denied for reasons that appear inconsistent with the spirit of this Policy, the requester may write to the UNOPS Legal Counsel, making a case for reconsideration. Requests should be directed to:

General Counsel
United Nations Office for Project Services
The Chrysler Building, 405 Lexington Ave, 5th Floor
New York, NY 10174
Email: legal@unops.org

- 5.2. Every request will be acknowledged. The requester is entitled to a response from the Legal Counsel within 45 calendar days of receipt of the request.
- 5.3. In the event that the requester is not satisfied with the response from the Legal Counsel and a request for a document remains denied in whole or in part, the requester may ask for a review of this determination by the Information Disclosure Oversight Panel (hereinafter referred to as the “Panel”), providing reasons for the appeal. Requests for appeals should be directed to:

The Secretariat, Information Disclosure Oversight Panel
P.O. Box 2695
2100 Copenhagen
Denmark
Email: IDPOversightPanel@unops.org

- 5.4. Every request for appeals will be acknowledged. The Panel shall review the denial of requests to disclose a document or portion of a document to a member of the public, and provide a final determination generally within 45 calendar days of receipt of the appeal but never later than 60 calendar days.
- 5.5. If an agreeable solution is not forthcoming within the Panel, the Panel will make recommendations to the UNOPS Executive Director on the outcome that would be most consistent with the application of the Policy. The Executive Director will have the authority to make the final decision, taking into consideration the recommendations of the Panel.

6. Final provisions

- 6.1. This OD is effective 1 April 2010



6.2. The Director of Corporate Outreach and Partnership is hereby authorized to issue such Administrative Instructions and/or guidance that may be necessary to effect the implementation of this Policy.

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

Jan Mattsson
Executive Director