



9 September 2016

Information circular*

To: Members of the staff

From: The Under-Secretary-General for Management

Subject: **Anti-Fraud and Anti-Corruption Framework of the United Nations Secretariat**

1. The purpose of the present information circular is to inform all staff of the Anti-Fraud and Anti-Corruption Framework of the United Nations Secretariat, which has been prepared in accordance with General Assembly resolutions 69/249 and 70/255.
2. The objective of the Framework is to assist the Secretariat in promoting a culture of integrity and honesty within the Organization by providing guidance and information to staff members and other United Nations Secretariat personnel¹ on how the Secretariat acts to prevent, detect, deter, respond to and report on fraud and corruption.
3. Staff members at all levels are expected to become familiar with the contents of the Anti-Fraud and Anti-Corruption Framework and to comply with the guidance and principles established therein. They must also be aware that committing acts of this nature will lead to disciplinary measures that may range from written censure to dismissal.
4. The issuance of this policy will be accompanied by a communications campaign Secretariat-wide to raise awareness about fraudulent acts and on how the Secretariat's acts to prevent, detect, deter, respond to and report on fraud and corruption, and to ensure that relevant risks are effectively mitigated.

* Information circulars will be subsequently issued to inform staff members of updates to the Framework that might be introduced through changes in the Secretariat's regulations, rules, administrative instructions and standard operating procedures.

¹ Other United Nations Secretariat personnel include officials other than Secretariat officials and experts on mission, individual contractors, consultants, interns, gratis personnel, participants in advisory meetings, "when actually employed" personnel and United Nations Volunteers.



Annex

Anti-Fraud and Anti-Corruption Framework of the United Nations Secretariat

Summary

Combating fraud and corruption in the United Nations Secretariat is a primary responsibility of staff, including management, and other United Nations Secretariat personnel, and is a responsibility that the Secretariat also applies to its relationship with third parties.

The Secretariat takes a zero-tolerance approach to fraud and corruption involving its staff members, other personnel and third parties in relation to their work with the Secretariat. This means that all allegations of fraudulent acts committed by any individual or entity involved in a contractual relationship with the Organization will be vigorously pursued.

“Fraudulent acts” include both “fraud” and “corruption”. Fraud encompasses any act or omission whereby an individual or entity knowingly misrepresents or conceals a material fact in order to obtain an undue benefit or advantage for himself, herself, itself or a third party, or to cause another to act to his or her detriment. Corruption encompasses any act or omission that misuses official authority or seeks to influence the misuse of official authority in order to obtain an undue benefit for oneself or a third party.

Fraudulent acts are considered misconduct. In the case of staff members, such acts will lead to disciplinary measures that may range from written censure to dismissal. Other measures may include the financial recovery of losses to the Organization and the referral of credible allegations of criminal wrongdoing to national authorities, when appropriate. Other United Nations personnel may also be the subject of sanctions for this type of misconduct as defined in the Framework.

Staff members — and other United Nations personnel — have the duty to report any and all possible cases of fraudulent acts either to the Head of Office/ Mission or responsible officer, the Assistant Secretary-General for Human Resources Management or the Office of Internal Oversight Services (OIOS). OIOS has a dedicated hotline whereby cases may be reported in a confidential manner: <https://oios.un.org/page?slug=reporting-wrongdoing>.

The Secretariat is obliged to protect the confidentiality of those reporting alleged cases of fraudulent acts. It has in place a protection against retaliation policy that applies to staff members, interns and United Nations Volunteers who have reported misconduct. Other United Nations personnel should adhere to the provisions of their respective contracts in this respect.

OIOS is the main entity typically responsible for conducting investigations of high-risk cases involving complex matters and/or serious criminal cases, including serious or complex fraud. Lower-risk cases are typically handled by programme managers or other dedicated investigative bodies.

The Secretariat reports to Member States on all cases of fraud through reports to the General Assembly and the Board of Auditors. In its reports, OIOS refers to specific investigations of possible misconduct, including fraudulent acts. In addition, the Secretariat reports on a yearly basis cases of misconduct and/or criminal behaviour and the disciplinary consequences thereof, as well as cases involving credible allegations of criminal conduct against United Nations officials and experts on mission that have been referred to their States of nationality.

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I. Introduction

1. The Charter of the United Nations states that the “paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity...” (Article 101). The promotion and maintenance of a culture of integrity and honesty is a basic requirement for combating fraud and corruption and a primary responsibility of staff, including management, in the United Nations Secretariat.

2. The Secretariat takes a zero-tolerance approach to fraud and corruption involving its staff members, other personnel or third parties in relation to their work with the Secretariat. “Zero tolerance” means that the Secretariat will pursue all allegations of fraudulent acts involving any individual or entity covered by the regulations, rules, administrative issuances, policies, procedures and agreements described in the Framework and that appropriate administrative/disciplinary measures or contractual remedies will be applied if wrongdoing is established. In addition, certain matters involving credible allegations of criminal wrongdoing may be referred to national authorities when appropriate.

II. Purpose

3. The purpose of the Framework is to assist the Secretariat in promoting a culture of integrity and honesty within the Organization by providing guidance and information to staff members and other United Nations Secretariat personnel² on how the Secretariat acts to prevent, detect, deter, respond to and report on fraud and corruption. Other United Nations Secretariat personnel include officials other than Secretariat officials and experts on mission, individual contractors, consultants, interns, gratis personnel, participants in advisory meetings, “when actually employed” personnel and United Nations Volunteers. The Framework describes the Organization’s existing regulations, rules, administrative issuances, policies and procedures in these areas, including the roles and responsibilities of personnel and the applicable sanctions.³ In addition, the Framework refers to third parties, who are obliged to comply with all obligations related to fraudulent acts that are included in their applicable agreements with the Secretariat.

4. The Framework should be read in conjunction with the documents and provisions referenced in annex I, “Relevant sections of United Nations official documentation related to fraudulent acts”; annex II, “List of important treaties, instruments, regulations, rules, administrative issuances, policies and manuals governing fraudulent acts in the United Nations”; and annex III, “Categories of non-United Nations personnel not covered by the Framework”.

² This category does not include: United Nations military experts on mission, including military observers, military advisers and military liaison officers; United Nations police officers; members of formed police units; government-provided personnel; and contingent personnel. Information related to these categories of non-United Nations personnel is included in annex III to the Framework.

³ See, in particular, the report of the Secretary-General entitled “Towards an accountability system in the United Nations Secretariat” (A/64/640).

III. Definitions

5. For the purpose of the Framework, the term “fraudulent acts” in the United Nations Secretariat is intended to include both “fraud”, which encompasses any act or omission whereby an individual or entity knowingly misrepresents or conceals a material fact in order to obtain an undue benefit or advantage for himself, herself, itself or a third party, or to cause another to act to his or her detriment; and “corruption”, which encompasses any act or omission that misuses official authority or that seeks to influence the misuse of official authority in order to obtain an undue benefit for oneself or a third party.

6. Examples of fraudulent acts may include, but are not limited to, the following acts, which are listed below for illustrative purposes:⁴

- (a) Submitting falsified documentation;
- (b) Improperly creating and using a document that purportedly authorizes a staff member or a third party to remove property belonging to the Organization;
- (c) Misrepresenting educational qualifications;
- (d) Making material omissions or false inclusions in personal history profiles (PHPs);
- (e) Knowingly submitting an education grant, a medical, travel or other entitlement claim and documentation containing false information;
- (f) Knowingly including false information in movement-related documentation submitted to the Organization;
- (g) Declaring private telecommunications charges to be official;
- (h) Improperly assisting a person external to the Organization to secure United Nations employment in exchange for money or other favours;
- (i) Improperly assisting a vendor in a procurement process;
- (j) Manipulating a procurement or recruitment process to ensure a certain outcome;
- (k) Misusing United Nations resources to benefit oneself or a third party;
- (l) Soliciting or accepting bribes;
- (m) Revealing internal confidential information in order to obtain a benefit for oneself or a third party;
- (n) Participating in the recruitment process of a family member or a person with respect to whom one has an undisclosed conflict of interest;
- (o) Participating in a procurement and/or contract management process involving a person or entity with whom/which one has an undisclosed conflict of interest;

⁴ Additional examples more specifically related to “third parties” are included in sect. X, para. 61, below.

(p) Manipulating administrative processes to disburse payments to benefit oneself or a third party, such as by creating fake contracts, fake third-party beneficiaries or ghost employees;

(q) Improperly altering the labelling on the salary envelopes of individual contractors and removing cash from the envelopes, all without authorization;

(r) Taking property of the United Nations Secretariat without authorization.

7. Established “fraudulent acts” in the United Nations Secretariat are considered to be “misconduct”, and article X of the Staff Regulations and Staff Rules, “Disciplinary measures”, and staff rules 10.1 and 10.2 clearly state the actions that the Secretariat takes with regard to staff who engage in this type of behaviour. In addition, sections IX and X below clearly define the actions that are taken in cases involving other United Nations Secretariat personnel and third parties (including implementing partners, vendors and non-State donors).

IV. Scope

8. The Framework is applicable to fraudulent acts throughout the United Nations Secretariat, which includes peacekeeping missions and special political missions. The roles of particular actors within the Secretariat are summarized below:

(a) The Secretary-General, as the chief administrative officer of the United Nations, is ultimately accountable for the establishment and management of an effective system for the prevention and detection of, as well as the enforcement of measures against, fraudulent acts; response to allegations of fraudulent acts; and the effectiveness of the system of related internal controls in this regard within the United Nations;⁵

(b) Heads of department/office and programme managers are accountable to the Secretary-General and have the delegated responsibility for ensuring that the existing internal control system, including all measures aimed at preventing and detecting fraudulent acts, is functioning effectively; that all measures aimed at preventing and detecting fraudulent acts are put in place; and that an appropriate and robust internal control environment is maintained, including those components related to integrity and ethical values, compliance requirements and disclosure. The Office of the Under-Secretary-General for Management is responsible for reviewing and updating the Framework as required;

(c) All staff members are expected to be aware that fraudulent acts, whatever their extent and form, are contrary to the standards of conduct expected of international civil servants and, if established, constitute misconduct, as provided for in staff rule 10.1 of chapter X, “Disciplinary measures”, of the Staff Regulations and Rules, for which a staff member may be sanctioned and even dismissed (see staff regulation 10.1 and staff rule 10.2). In addition, pursuant to staff rule 1.2 (c), staff members have the duty to report cases of suspected misconduct, including suspected fraudulent acts, to either a head of department/office, the Assistant

⁵ See Charter of the United Nations, Articles 97, 100 and 101; and the report of the Secretary-General entitled “Towards an accountability system in the United Nations Secretariat” (A/64/640).

Secretary-General for Human Resources Management⁶ or the Office of Internal Oversight Services (OIOS);

(d) Other categories of United Nations Secretariat personnel⁷ are governed by the relevant applicable provisions, in particular consultants and individual contractors,⁸ interns,⁹ United Nations Volunteers under the applicable rules of the United Nations Development Programme,¹⁰ officials other than Secretariat officials and experts on mission,¹¹ gratis personnel,¹² participants in advisory meetings,¹³ personnel on non-reimbursable loans from sources external to the United Nations common system¹⁴ and “when actually employed” personnel;¹⁵

(e) The four internal and external oversight bodies that cover the United Nations Secretariat are: OIOS, the Board of Auditors, the Joint Inspection Unit and the Independent Audit Advisory Committee. Those bodies have been established by the General Assembly to assist in promoting a culture of compliance and integrity and in deterring fraudulent acts by independently assessing the adequacy and effectiveness of the internal control systems and, in the case of OIOS, undertaking investigations into possible cases of fraudulent acts, as appropriate.

V. Prevention measures for fraudulent acts

9. The Organization has established a comprehensive framework of measures to prevent cases of fraudulent acts, as listed below.

A. Standards of conduct

10. All United Nations staff members must uphold the standards of conduct that are prescribed, in particular in the Charter of the United Nations, the Staff Regulations¹⁶ and Rules and the relevant administrative issuances as listed in annex I to the Framework. Under Article 100 of the Charter, the staff “shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization”.

⁶ If a report is made to the Assistant Secretary-General for Human Resources Management with respect to a matter not implicating a staff member of the Office of Human Resources Management, the Assistant Secretary-General will transmit such report to OIOS.

⁷ See sect. IX below.

⁸ See [ST/AI/2013/4](#), on consultants and individual contractors.

⁹ See [ST/AI/2014/1](#), on the United Nations internship programme.

¹⁰ See Conditions of Service for International United Nations Volunteers and the memorandum of understanding between the Department of Peacekeeping Operations and the United Nations Volunteers.

¹¹ See Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials, and Experts on Mission ([ST/SGB/2002/9](#)).

¹² See [ST/AI/1999/6](#), on gratis personnel.

¹³ See [ST/AI/2013/5](#), on participants in advisory meetings.

¹⁴ See [ST/AI/231/Rev.1](#), on non-reimbursable loans of personnel services from sources external to the United Nations common system.

¹⁵ See [ST/SGB/283](#), on the use of “when actually employed” contracts for special representatives, envoys and other special high-level positions”. See also sect. IX, para. 45, below.

¹⁶ [ST/SGB/2016/5](#).

11. Under staff regulation 1.1, staff members must make a written declaration that they will, inter alia, exercise “in all loyalty, discretion and conscience” the functions entrusted to them as international civil servants of the United Nations, discharge those functions and regulate their conduct “with the interests of the United Nations only in view” and respect the obligations incumbent upon them as set out in the Staff Regulations and Rules.

12. Under staff regulation 1.2, staff members must uphold the highest standards of efficiency, competence and integrity. It is specified that “the concept of integrity includes, but is not limited to, probity, impartiality, fairness, honesty and truthfulness in all matters affecting their work and status”. Moreover, staff regulation 1.2 (g) provides that staff members “shall not use their office or knowledge gained from their official functions for private gain, financial or otherwise, or for the private gain of any third party, including family, friends and those they favour. Nor shall staff members use their office for personal reasons to prejudice the positions of those they do not favour”.

13. Standards of conduct are repeated and explained further in the Staff Rules¹⁷ and in the Secretary-General’s bulletin on the status, basic rights and duties of United Nations staff members.¹⁸ Staff shall also be guided by the International Civil Service Commission Standards of Conduct for the International Civil Service.¹⁹

14. Similar high standards of conduct are required of other United Nations personnel, as outlined in the Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials, and Experts on Mission²⁰ or in the applicable administrative issuances (see para. 8 (d) above) and provisions contained in their respective contracts.

15. Standards of conduct for other United Nations Secretariat personnel and third parties are set forth in their respective contracts.

B. Protection against retaliation

16. The Secretary-General issued a specific administrative issuance prohibiting retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations.²¹ It sets forth protective measures for staff members, interns and United Nations Volunteers under threat of, or experiencing, retaliation for duly reporting misconduct or for cooperating with duly authorized audits or investigations. The protective measures may include measures to safeguard the interests of the complainant pending the completion of the investigation, such as

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