1.	PUI	RPOSE	1
2.	SCO	OPE OF APPLICATION	1
3.	DE	FINITIONS	2
4.	RE	SPONSIBILITIES	5
4	.1	Staff Members and Non-staff Personnel	5
4	.2	Management	5
4	.3	Suppliers	6
4	.4	Implementing Partners	7
5. PRA	EASURES TO PREVENT AND DETECT FRAUDULENT AND OTHER PROSCRIBED	7	
5	.1	Awareness	7
5	.2	Training	8
5	.3	Application and Adherence to Standards and Codes of Conduct	8
-	.4 nplei	Due diligence in engaging and monitoring staff members, non-staff personnel, suppliers, menting partners and third parties	9
5	.5	Building prevention of fraudulent and other proscribed practices into programme design 1	0
5	.6	Fraud Risk Management 1	0
5	.7	Internal Controls 1	1
6.	RE	PORTING FRAUDULENT AND OTHER PROSCRIBED PRACTICES 1	1
6	.1	How to report	1
6	.2	Confidentiality 1	2
6	.3	Anonymity 1	2
6	.4	Protection against retaliation1	2
7.	INV	/ESTIGATIONS 1	3
8.	SA	NCTIONS 1	3
9.	PEF	RFORMANCE REPORTING 1	4
10.	C	COORDINATION	5
11.	R	RESOURCES 1	5

Ethics

1. PURPOSE

- 1. UNFPA has a zero tolerance principle for wrongdoing, including fraudulent and other proscribed practices, meaning that UNFPA staff members, non-staff personnel, suppliers, implementing partners, and any third parties are not to engage in these practices¹.
- 2. UNFPA is strongly determined to combat any form of proscribed practices, including fraudulent practices. Fraudulent and other proscribed practices are contrary to the mission of the United Nations and UNFPA's core values, and harm the organization's ability to meet its strategic objectives. Any act of fraudulent or other proscribed practices related to UNFPA's activities depletes resources available to fulfill UNFPA's mandate. These practices can also seriously damage UNFPA's reputation and diminish donors' trust in its ability to deliver results in an accountable and transparent manner. Furthermore, it may affect the effectiveness, motivation and morale of UNFPA personnel, and impact on the organization's ability to attract and retain a principled and professional work force.
- 3. UNFPA's policy against fraudulent and other proscribed practices is informed by the <u>Fraud</u> <u>Management Framework</u> developed by the Joint Inspection Unit (JIU) which is comprised of eight pillars that address prevention, detection and response to fraudulent and other proscribed practices in the UN system.

2. SCOPE OF APPLICATION

- 4. This policy is part of a comprehensive "anti-fraud and other proscribed practices" strategy. It is an integral part of UNFPA Enterprise Risk Management and is operationalized through preventative and detective controls in all key corporate processes. UNFPA process owners develop risk-based policies and procedures which include controls to mitigate fraud among other risks.
- 5. The Policy applies to all UNFPA activities and operations, including programmes funded by UNFPA as well as those implemented by UNFPA. It aims to prevent, detect and address acts of fraudulent and other proscribed practices involving:
- i) Staff members, defined as holders of UNFPA letters of appointment serving on permanent, continuing, fixed-term or temporary appointment contracts ("staff members");

¹ Per UNFPA Oversight Policy approved by the Executive Board

ii) Vendors, including:

a. Individual independent contractors such as those individual persons engaged as individual consultants, service contract holders, United Nations volunteers assigned to UNFPA, and interns ("non-staff personnel").

b. Actual or potential suppliers of goods and services (commonly referred to as, "suppliers");

c. Implementing partners engaged by UNFPA for a UNFPA-funded programme ("implementing partners"); and

d. Any other third parties with which the Fund has a contractual relationship ("third parties").

3. **DEFINITIONS**

6. The <u>UNFPA Oversight Policy</u> approved by the Executive Board of UNFPA provides as follows:

"<u>Proscribed practice</u> means any of the following practices:

- <u>Corrupt practice</u>: The offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party;
- <u>Fraudulent practice</u>: Any act or omission, including misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit, or to avoid an obligation;²
- <u>Collusive practice</u>: An arrangement between two or more parties designed to achieve an improper purpose, including influencing improperly the actions of another party;
- <u>Coercive practice</u>: Impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;
- <u>Obstructive practice</u>: Acts or omissions intended to materially impede the exercise of contractual rights of audit, investigation and access to information, including destruction, falsification, alteration or concealment of evidence material to an investigation into allegations of fraud and corruption;

² Furthermore, UNFPA applies the fraud definition approved by the HLCM in 2017, which provides as follows: "Any act or omission whereby an individual or entity knowingly misrepresents or conceals a fact (a) in order to obtain an undue benefit or advantage or avoid an obligation for himself, herself, itself, or a third party, and/or (b) in such a way as to cause an individual or entity to act, or fail to act, to his, her or its detriment."

• <u>Unethical practice</u>: The conduct or behaviour that is contrary to staff or supplier codes of conduct, such as those relating to conflict of interest, gifts and hospitality, post-employment provisions, abuse of authority and harassment.

The Oversight Policy further provides:

- "Wrongdoing means:
 - Misconduct, i.e. the failure by a staff member to comply with his or her obligations under the Charter of the United Nations, the Staff Regulations and Staff Rules or other relevant administrative issuances, or to observe the standards of conduct expected of an international civil servant;
 - A failure by a vendor (for instance, a legal person such as an implementing partner or a [supplier], or an individual independent contractor such as a consultant) to comply with its, his or her obligations."

And

- <u>"Investigation</u> means a fact-finding process, *i.e.*, a process by which evidence is sought capable of ascertaining facts to permit a determination whether or not wrongdoing has occurred. Investigations may range from fraud and corruption, to workplace harassment, abuse of authority, retaliation against whistle-blowers, sexual exploitation and abuse, and other violations of applicable regulations, rules and administrative or policy issuances.
 - (a) <u>Internal investigation</u> means an investigation into alleged wrongdoing relating to a UNFPA staff member;
 - (b) <u>External investigation</u> means an investigation into alleged wrongdoing relating to a person other than a staff member, such as an independent contractor, implementing partner and other third party."
- 7. Actions taken to instigate, aid, abet, attempt, conspire or cooperate in a fraudulent or other proscribed practices, also constitute wrongdoing.
- 8. Examples of fraudulent and other proscribed practices include, but are not limited to, the following actions:
 - Forging documents, preparing false entries in UNFPA systems or making false statements to obtain a financial or other benefit for oneself or another/others;
 - Collusion or other anti-competitive scheme between suppliers during a procurement process to influence the contract award by UNFPA;

- Providing information that the claimant knows to be false in relation to dependents, education grants, rental subsidies, home leave travel or another entitlement to get a financial benefit;
- Forging the signature of a UNFPA staff member or forging a document purporting to be from UNFPA to induce a party outside UNFPA to act;
- Using the information technology identity or password other than one's own, or creating false identities/passwords, without consent or authority, to manipulate UNFPA processes or cause the approval or denial of actions;
- Accepting hospitality such as meals or entertainment from a supplier;
- Misrepresenting United Nations employment status to obtain a benefit from a government or private sector entity;
- Failing to disclose a financial or familial interest in a business or outside party while participating in the award/management of a contract to the benefit of that business or outside party;
- Covering the cost of personal travel as part of official travel;
- Making misrepresentations, including educational credentials or professional qualifications, on a personal history form in the context of a job application;
- Falsifying documents, making false statements, preparing false entries in UNFPA systems or other deceptive acts to the detriment of those someone seeks to disfavor, or to discredit a person, programme or the organization;
- Submitting claims for expenses incurred by implementing partners that were known as being ineligible or unsupported;
- Misusing assets, commodities and other items or knowingly allowing implementing partners and other third parties to do so;
- Soliciting or accepting a bribe to award a contract to a supplier;
- 9. Impairing or harming, or threatening to impair or harm, directly or indirectly a colleague or supervisor to improperly obtain a favorable performance appraisal.

4. **RESPONSIBILITIES**

10. All UNFPA staff members have critical roles and responsibilities in ensuring that fraudulent and other proscribed practices are prevented, detected and managed promptly. They are responsible for safeguarding resources entrusted to UNFPA and for upholding and protecting its reputation. Similarly, UNFPA non-staff personnel, suppliers, implementing partners and third parties shall be held to the highest ethical standards, and should report any acts of fraudulent and other proscribed practices arising in relation to their contract with UNFPA.

4.1 Staff Members and Non-staff Personnel

- 11. Staff members and non-staff personnel must understand their roles and responsibilities. This includes understanding how their job functions, how UNFPA policies and procedures are designed to manage fraud risk, and how non-compliance thereto may create an opportunity for fraudulent and other proscribed practices to occur or go undetected. Staff members have the obligation to complete all mandatory UNFPA trainings, to keep themselves informed of new policies, and to immediately report any situation that indicate these practices may have occurred.
- 12. Proven fraudulent and other proscribed practices, committed by a staff member, constitute misconduct for which a disciplinary measure may be imposed, including dismissal, in accordance with the <u>UNFPA Disciplinary Framework</u>. Similarly, UNFPA does not tolerate fraudulent and other proscribed practices by non-staff personnel. Contracts may be terminated where non-staff personnel's involvement in these practices is established. In both instances, the allegations of fraudulent, corrupt, coercive or collusive practices may be referred to national authorities for criminal investigation and prosecution of those involved.
- 13. UNFPA's policy on <u>Outside Activities and/or Honors, Decorations, Favors, Gifts, Awards,</u> <u>Remuneration from Outside Parties</u> clarifies the nature of prohibited non-UNFPA/non-United Nations ("outside") activities, the conditions under which UNFPA staff members shall seek authorization for outside activities, and identifies those types of outside activities that do not require any authorization. Furthermore, this policy explains the circumstances under which staff members may or may not accept an honor, decoration, favor, gift, award or remuneration from outside entities.
- 14. Post-employment restrictions apply to UNFPA staff members involved in the procurement process as outlined in the policy on <u>Post-Employment Restrictions</u>.

4.2 Management

15. Managers at all levels are expected to act as role models for the rest of the organization. They should foster a culture of zero tolerance for wrongdoing, and ensure that any proscribed

practices including fraudulent practices are reported expeditiously. They shall take proactive steps to prevent and identify potential fraudulent and other proscribed practices. In particular, managers are expected to:

- Raise awareness and knowledge of the risk of fraudulent and other proscribed practices with their personnel;
- Perform risk assessments to identify which UNFPA's assets, programmes, activities, and interests are exposed to potential fraud risk; assess the level and impact thereof;
- Select the most appropriate risk response option to accept, reject, transfer, or mitigate risk through the design and implementation of preventative and detective controls;
- Monitor and supervise the performance, working methods and outputs of their personnel to ensure that they are conducting themselves in ways that meet the most ethical and professional standards <u>as outlined in Section 5.3</u>; and
- Seek guidance, where necessary, from the regional offices, Division for Management Services, Division for Human Resources, the Office of Audit and Investigation Services (OAIS) and/or the Ethics Office.
- 16. Managers who fail to take appropriate action, or who tolerate or condone fraudulent and other proscribed practices, will be held accountable.

4.3 Suppliers

- 17. Actual and potential UNFPA suppliers and their personnel and agents, have the duty to interact honestly and with integrity in the provision of goods and services to UNFPA, and to report immediately allegations of fraudulent or other proscribed practices related to the goods and services provided to UNFPA. Suppliers shall be encouraged to establish robust policies and procedures to combat these practices, and are to cooperate with UNFPA auditors and investigators. Suppliers have the duty to ensure that funds are safeguarded and used for their intended purposes, as authorized by UNFPA.
- 18. When allegations concerning involvement in fraudulent or other proscribed practices are deemed substantiated, UNFPA shall take any administrative actions available to it, including but not limited to measures outlined in the relevant contractual agreement(s) and the policy for <u>Vendor Review and Sanctions</u>, and shall seek to fully recover any financial loss. UNFPA may refer appropriate cases to national authorities for criminal investigation and prosecution, when applicable.

4.4 Implementing Partners

- 19. Implementing partners are expected to exercise the highest standards of care when handling and administering the cash, supplies and equipment provided to it by UNFPA as provided in the relevant <u>agreement between the implementing partner and UNFPA</u>. The general conditions for implementing partner agreements contain appropriate assurance clauses, covering audit, spot checks and investigation, as well as clauses stating that they are subject to regular monitoring and assessment activities.
- 20. Implementing partners must take appropriate steps to prevent fraudulent, corrupt, collusive, coercive and obstructive practices, and ensure that anti-fraud policies are in place and applied to programmes funded by UNFPA.
- 21. Any implementing partner is required on the basis of the agreement concluded between it and UNFPA to bring any allegations of corrupt, fraudulent, collusive, coercive or obstructive practices arising in relation to the agreement of which the implementing partner has been informed or has otherwise become aware, promptly to the attention of OAIS. Under the terms of those contracts, implementing partners are also required to provide full and timely cooperation with any audit, spot check or investigation conducted by UNFPA.

5. MEASURES TO PREVENT AND DETECT FRAUDULENT AND OTHER PROSCRIBED PRACTICES

22. UNFPA is committed to addressing fraudulent and other proscribed practices through a combination of preventative and detective measures. UNFPA emphasizes the use of prevention measures as they are more effective and less costly compared to having to detect and subsequently respond to fraudulent and other proscribed practices after they have taken place. Key preventative and detective measures are listed below.

5.1 Awareness

23. Staff members, non-staff personnel, suppliers, implementing partners and third parties must be aware of their responsibility to prevent fraudulent and other proscribed practices. In this regard, managers are to raise awareness of this policy, and inform all staff members under their supervision of their duty to report instances of fraudulent and other proscribed practices, as required by the <u>United Nations Staff Regulations and Rules</u> and the <u>UNFPA Disciplinary</u> <u>Framework</u>. Managers are also required to make non-staff personnel, suppliers, implementing partners and third parties contracted/engaged by their respective offices aware of this policy.

- 24. Suppliers are subject to the <u>UNFPA Policy for Vendor Review and Sanctions</u>. This may be referenced and acknowledged in standard bidding documents and their signed bid submission.
- 25. Suppliers participating in a procurement process funded by UNFPA, are expected to adhere to the <u>United Nations Supplier Code of Conduct</u>. They shall be responsible for the professional and technical competence of the personnel assigned to perform work under contract with UNFPA and will select reliable and competent individuals who will respect the local laws and customs and conform to a high standard of moral and ethical conduct. They are required to report to OAIS any instances of wrongdoing in relation to contracts with UNFPA.

5.2 Training

- 26. The UNFPA online <u>Ethics Training</u> provides guidance on how to identify, address and report a wide range of wrongdoing including fraudulent and other proscribed practices. This training is mandatory for all UNFPA staff members.
- 27. In addition to the above, UNFPA continues to develop and conduct specialized training programme aimed at: i) increasing awareness of the risks of fraudulent and other proscribed practices; and ii) developing skills for understanding, detecting, preventing and reporting such practices.
- 28. Participation in such programme shall be mandatory for all UNFPA staff. Refresher courses will have to be undertaken every three years.

5.3 Application and Adherence to Standards and Codes of Conduct

- 29. UNFPA staff members must be guided by the standards of conduct prescribed in the United Nations Charter, the United Nations Staff Regulations and Rules, the <u>Standards of Conduct</u> for the International Civil Service, the <u>Status</u>, <u>Basic Rights and Duties of United Nations</u> <u>Staff Members (ST/SGB/2002/13)</u>.
- 30. Similarly, high standards of conduct are expected of service contractors and individual consultants as required by <u>ST/SGB/2002/9</u> (Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials, and Experts on Mission) and the UNFPA policy on <u>Individual Consultants</u>. For United Nations Volunteers assigned to UNFPA, they must abide by the standards prescribed in the respective <u>Conditions of Service</u>, including the United Nations Volunteers Code of Conduct. Behaviours that fall short of the required standards are not acceptable.

31. In addition, contracts issued to non-staff personnel, suppliers, implementing partners and other third parties stipulate requirements with respect to such non-staff personnel's and suppliers' actions in the context of their contractual relationship with UNFPA. The observance of such standards of conduct and contractual obligations deters fraudulent and other proscribed practices and encourages the highest standards of professional behaviour.

5.4 Due diligence in engaging and monitoring staff members, non-staff personnel, suppliers, implementing partners and third parties

- 32. UNFPA's policies and procedures with respect to staff members, non-staff personnel, suppliers, implementing partners and other third parties, must be followed by UNFPA staff at the time of recruitment or engagement and subsequently through periodic review and assessment.
- 33. UNFPA hiring units should ensure that the organization is recruiting/contracting individuals that meet the standards of conduct expected of staff members and non-staff personnel. This can be achieved, for instance, by using specific interview assessment tools for integrity, professional experience, academic checks, and reference checks.
- 34. UNFPA requires all of its suppliers to be qualified, as well as be eligible. UNFPA shall not award a contract to any supplier that has been debarred as indicated in the <u>UN Ineligibility</u> <u>List</u> and as otherwise required in the UNFPA procurement procedures. Awarding a contract to an ineligible supplier may only occur when a supplier has been rehabilitated or when the Chief Procurement Officer (CPO) considers that a waiver or exception should be granted in consideration of the specific circumstances surrounding the procurement action.
- 35. UNFPA requires all of its implementing partners to be subject to rigorous selection procedures as well as third-party conducted detailed assessments as outlined in the <u>Policy</u> and <u>Procedures for Selection, Registration and Assessment of Implementing Partners.</u>
- 36. Similarly rigorous selection procedures are in place for engagements with other third parties.
- 37. The performance of staff members, non-staff personnel, suppliers, implementing partners and other third parties is regularly monitored. Staff members are subject to a performance evaluation process which requires regular engagement with their supervisors and input from relevant colleagues. The performance of suppliers is evaluated through an online supplier assessment tool. Implementing partners are monitored based on the guidance in the <u>Policy</u> and <u>Procedures for Programme and Financial Monitoring and Reporting</u>.

5.5 Building prevention of fraudulent and other proscribed practices into programme design

38. When developing a new programme, it is important to ensure that the risk of fraud and other proscribed practices is fully considered in the programme design and implementation. This is especially important for high risk programmes, such as those operating in complex environments where there is a higher risk of these practices to occur. These programme risks shall be communicated to relevant stakeholders, including donors, implementing partners and responsible parties, together with an assessment of the extent to which risks can be mitigated. Programme managers are responsible for ensuring that the risk of fraudulent and other proscribed practices is identified during the programme design phase. They must consider how easily these practices may take place and continue to manifest in daily operations. Programme managers must also evaluate the impact of fraudulent and other proscribed practices, and the effectiveness of the measures taken to mitigate the related risks, including programme and financial monitoring. Informed decisions can then be made on additional mitigating actions required.

5.6 Fraud Risk Management

- 39. Fraud risk assessment is an integral and key component of UNFPA's Enterprise Risk Management. The aim is to help management to identify and evaluate areas of programmatic and operational activities that are most susceptible to fraudulent and other proscribed practices, and prioritise where UNFPA should focus its resources for prevention and mitigation.
- 40. The fraud risk assessment process may be repeated periodically utilizing lessons learned, especially for longer-duration programmes and operations, or where material changes are made to the design of the programmes and operations during their implementation.
- 41. Managers must evaluate changes in operational settings. The need to conduct a fraud risk assessment should be evaluated particularly when a moving into a humanitarian context or when significant changes take place in the work environment.
- 42. Management must respond to risk of fraudulent and other proscribed practices with appropriate measures. Where a critical or high risk of fraudulent or other proscribed practices has been identified, management must formally develop an action plan that addresses the risk.
- 43. Risk response measures should be monitored for effectiveness over time.

5.7 Internal Controls

- 44. A strong internal control system, where policies and procedures are enforced, internal controls are appropriately implemented, and staff members, non-staff personnel, suppliers, implementing partners and third parties are informed about fraudulent and other proscribed practices, and their consequences, can curtail the occurrence of such practices.
- 45. UNFPA has developed an Internal Control Framework which constitutes an integral part of its Enterprise Risk Management and it is designed to systematically address the risks identified therein including fraud risk.
- 46. UNFPA has incorporated several information technology-based preventative and detective controls into its enterprise resource planning system, including but not limited to segregation of duties controls, approval workflows, three-way match of procurement transactions, rules-based filters, and data analysis to support the detection of anomalies and abnormal patterns.

6. REPORTING FRAUDULENT AND OTHER PROSCRIBED PRACTICES

- 47. As provided in the UNFPA Disciplinary Framework, allegations of fraudulent and other proscribed practices shall be reported to the Director, OAIS. Staff members may also report to the staff member's manager, who shall forward the report to the Director, OAIS, without delay.
- 48. Non-staff personnel, suppliers and other third parties shall report allegations of fraudulent and other proscribed practices in relation to the activities financed by UNFPA according to the clauses in the contract or agreement signed.

6.1 How to report

- 49. Allegations of wrongdoing can be reported through different means:
 - By mail: send to the Director, OAIS, 605 Third Avenue, New-York, NY 10158, USA, with the mention "private and confidential"
 - By dedicated telephone line (only accessible by authorized personnel in OAIS): +1 212 297 5200
 - By fax to the Director, OAIS at: +1 212 297 4938
 - By email (only accessible by authorized personnel in OAIS): investigationshotline@unfpa.org

• Through a dedicated web-based reporting facility (<u>Investigations Hotline</u>) which provides a confidential mechanism for individuals wishing to report fraudulent or any other proscribed practices. Reports provided through this service are stored on a secure server and only authorized personnel in OAIS can access them. UNFPA safeguards these reports from any accidental or negligent disclosure.

6.2 Confidentiality

- 50. OAIS investigations are conducted in confidence to safeguard the integrity of the process and protect the rights of those involved. As provided in the UNFPA Disciplinary Framework, information concerning investigations is shared on a "need-to-know" basis only.
- 51. In accordance with the UNFPA Oversight Policy, "investigation reports are not disclosed other than to the Executive Director or the person(s) that he/she may designate; information on investigation reports issued by OAIS is included, in anonymized format and with financial losses identified, in the report of the Director, OAIS, to the Executive Board. The management response thereto, in the same year or subsequent ones as appropriate, includes information on the manner and amount of recovery of identified losses. Information regarding an ongoing investigation may be provided to the concerned investigative body to the extent that said provision will not, in the opinion of the Director, OAIS, jeopardize the integrity or proper conduct of the investigation, or the due process rights of the persons involved."
- 52. The work product of the VRC is also confidential, and its members are advised of the sensitive nature of the discussions carried out therein. Until decisions are final, the identity of the suppliers or implementing partners involved is kept confidential within UNFPA.
- 53. Senior managers may, at their discretion, share general aspects of a case with other United Nations agencies, funds and programmes on an as-needed basis.

6.3 Anonymity

54. Those wishing to protect their identity may report fraudulent and other proscribed practices anonymously.

6.4 Protection against retaliation

- 55. UNFPA does not tolerate any form of retaliation.
- 56. Staff members who report fraudulent or other proscribed practices under this policy, or who cooperate with a duly authorized audit or investigation, have the right to be protected from

retaliation in accordance with the <u>Protection against Retaliation for Reporting Misconduct or</u> for Cooperating with an Authorized Fact-Finding Activity.

7. INVESTIGATIONS

- 57. OAIS is the sole entity at UNFPA to perform, manage, or authorize others to conduct or manage investigation activities, unless otherwise directed the Executive Director after having obtained the advice of the Audit Advisory Committee. OAIS is responsible for assessing and investigating all allegations of wrongdoing, including fraudulent and other proscribed practices, committed by UNFPA staff members, non-staff personnel or by other contracted party, to the detriment of UNFPA, in accordance with the relevant professional standards and the <u>charter of the Office of Audit and Investigation Services</u> as outlined in the <u>Oversight Policy</u>. The Executive Board assures the availability of required resources for UNFPA to implement the Oversight Policy. UNFPA is committed to ensuring the adequacy of resources allocated to the investigation function as well as its capacity and tools available to the function.
- 58. In general, the investigation process is as follows: After receiving a complaint, OAIS conducts a preliminary assessment to determine whether there are reasonable indications of wrongdoing. When OAIS determines that there are insufficient grounds to merit a full investigation, the matter will be closed, documented with a closure note; when appropriate, situations are referred to management for attention or action, or for informal resolution. If the assessment shows the allegation(s) to be credible, OAIS opens a formal investigation. Should these be substantiated, OAIS issues an investigation report by subject (staff member, other personnel or entity involved) for appropriate administrative or disciplinary action and, where relevant, for recovery of funds or assets. When an investigation reveals systemic weaknesses in internal controls, OAIS may issue a separate communication for management to address the identified weaknesses.
- 59. OAIS conducts its work in accordance with the provision of the <u>UNFPA Oversight Policy</u>, the Disciplinary Framework, and its internal guidelines.

8. SANCTIONS

- 60. UNFPA follows up on investigations reports and takes internal and external corrective actions against all perpetrators of fraudulent and other proscribed practices.
- 61. The allegations, if substantiated by the investigation, may result in disciplinary and/or administrative actions in accordance with the UNFPA <u>Disciplinary Framework</u> (for staff members), the Vendor Sanction Review (for individual consultants, suppliers and

implementing partners) or other actions taken by UNFPA, depending on the case. The outcomes may include the following:

- For staff members, disciplinary and/or administrative actions;
- For service contract holders termination or non-renewal of their contract or other action as deemed appropriate;
- For individual consultants and interns, termination of their contract or other action as deemed appropriate;
- For United Nations Volunteers assigned to UNFPA, standard procedures are followed, ultimately with a recommendation made by the UNV Advisory Panel on Disciplinary Measures to the UNV Executive Coordinator;
- For suppliers, termination of the contract and debarment from doing business with UNFPA or other sanctions as decided by the CPO;
- For implementing partners, or any of its employees or personnel, debarment from doing business with UNFPA and refund of any amounts advanced and not justified;
- Referral to the national authorities of a member state for criminal investigation and prosecution;
- Recovery of financial loss and/or loss of assets suffered by UNFPA, and return of funds recovered to the respective funding sources as outlined in the UNFPA Financial Regulations and Rules.

9. PERFORMANCE REPORTING

- 62. OAIS reports annually to the Executive Board on investigations of fraudulent and other proscribed practices conducted during the reporting period, including caseload and status of complaints, types of complaints, conclusions, and disciplinary measures or sanctions taken.
- 63. Management reports on appropriate measures to address incidents of fraudulent and other proscribed practices, and actions taken.
- 64. From time to time, UNFPA may publish disciplinary measures and related actions taken by UNFPA following allegations of wrongdoing that have been investigated and substantiated. The purpose of this <u>publication</u> is to achieve an increased level of transparency in the administration of issues of conduct, to inform staff members of the practice of UNFPA in taking action on such allegations, and to ensure that members of the staff are informed about common examples of wrongdoing and possible consequences. Furthermore, this circular

is also an opportunity to recall important information concerning the conduct required of international civil servants and the procedures relating to allegations of wrongdoing. The circulars are also published on the <u>UNFPA internet website</u>.

65. In addition, as required by Annex II to the UNFPA Financial Regulations, reports of "[c]ases of fraud and presumptive fraud" are annexed to UNFPA's annual Financial Report and Audited Financial Statements. These reports are all available publicly on the <u>UNFPA</u> website.

10. COORDINATION

66. UNFPA works in close collaboration with other United Nation system organizations to address fraudulent and other proscribed practices in a comprehensive manner and on a system-wide basis. UNFPA actively participates in inter-agency activities and fora including the United Nations Development Group (UNDG), the High Level Committee on Management (HLCM), the United Nations Representatives of Investigative Services (UN-RIS) and the United Nations Representatives of Internal Audit Services (UN-RIAS).

11. RESOURCES

UNFPA		
UNFPA Oversight Policy		
Disciplinary Framework		
Protection against Retaliation for Reporting Misconduct or for Cooperating with an		
Authorized Fact-Finding Activity		
Outside Activities and/or Honors, Decorations, Favors, Gifts, Awards, Remuneration		
from Outside Parties		
Policy for Vendor Review and Sanctions		
ternal Control Framework (ICF) NFPA Financial Regulations and Rules (FRRs)		
		Policy and Procedures for Regular Procurement
OAIS Charter		
UNITED NATIONS DOCUMENTS:		
Staff Regulations and Rules of the United Nations		
Standards of Conduct for the International Civil Service (ICIS)		