Operational Directive Ref. OD.LG.2018.01
Legal

Authority:

This Operational Directive (OD) is promulgated by the General Counsel, Legal Group, on the basis of a delegation of authority from the Executive Director.

Purpose:

The purpose of this OD is to establish the high level principles as well as the main roles and responsibilities regarding legal requirements applicable to UNOPS activities.

Effective Date:

This OD shall become effective **immediately.**

Promulgation Date:

03 Apr 2018

[signature redacted]

James Provenzano
General Counsel, Legal Group

1. Introduction

1.1. Compliance with certain legal requirements is crucial for the effective implementation of UNOPS activities, to manage the parties' expectations and understanding of their respective rights and obligations, as well as to manage UNOPS risks and protect UNOPS in case of disputes and exposure to liability.

1.2. The purpose of this OD is to set out the high level principles, as well as the main roles and responsibilities, regarding legal requirements applicable to UNOPS activities.

2. Principles

2.1. Decision authority and accountability shall be based on formal delegation of authority, as defined in the EOI on Delegation of Authority and Accountability Framework.

2.2. When implementing UNOPS activities, UNOPS personnel shall comply with UNOPS policies as defined in EOD.ED.2017.01 – Legislative Framework, and the OI on Compliance to be promulgated under this OD.

2.3. Review by UNOPS Legal Advisors shall be mandatory for certain matters, as set out in an OI on Legal Advisors and Legal Practice to be promulgated under this OD.

2.4. Retention of UNOPS documents is crucial to ensure transparency and traceability of UNOPS activities, as well as to inform auditors and protect UNOPS in case of dispute. UNOPS personnel shall retain documents in accordance with the requirements set out in an OI on Document Retention to be promulgated under this OD.

2.5. The purpose of legal review is to assure that legal risk is managed efficiently and effectively. As such, matters requiring legal review shall follow processes dictated by legal templates and OIs to be promulgated on this OD. Any changes to such templates and other documents shall require further legal review.

3. Roles and Responsibilities:

3.1. The General Counsel, Legal Group (LG), shall be responsible for:

a. General oversight of the legal practice; and

b. Oversight of the drafting of policy documents and templates.

3.2. LG core functions shall include providing legal advice and review of all human resources, institutional and commercial matters, reviewing UNOPS documents and agreements where required, and managing claims and disputes brought by or against UNOPS.