

**EXECUTIVE OFFICE DIRECTIVE REF. EOD.ED.2017.01**

**LEGISLATIVE FRAMEWORK**

**1. Authority:**

- 1.1. This Executive Office Directive (EOD) is promulgated by the Executive Director, on the basis of my authority under UNOPS Financial Regulation 3.01.

**2. Purpose:**

- 2.1. This EOD sets out UNOPS legislative framework, that is, the framework laying out and organising the different types of policies, instructions and guidance documents applicable to UNOPS, and which shall govern all of UNOPS activities.

**3. Effective Date:**

- 3.1. This EOD shall become effective **immediately**.

**4. Consequential changes:**

- 4.1. This EOD shall supersede and replace EOD 1 – Legislative Framework, of 19 September 2016.

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Executive Director, UNOPS

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## **1. Structure:**

1.1. UNOPS Legislative Framework shall comprise of the following Legislative Instruments, by order of priority:

- United Nations Instruments Applicable to UNOPS;
- Executive Director Principles (EDP);
- Executive Office Directives (EOD) and Instructions (EOI);
- Operational Directives (OD) and Instructions (OI);
- Guidance and Informational Documents (GD).

1.2. All of UNOPS activities shall be carried out in compliance with UNOPS Legislative Framework.

## **2. United Nations Instruments Applicable to UNOPS:**

2.1. United Nations Instruments are promulgated by organs of the United Nations with authority over UNOPS Executive Director such as the General Assembly, the Economic and Social Council, UNOPS Executive Board, the Secretary General.

2.2. All of UNOPS Legislative Instruments shall therefore comply with United Nations Instruments applicable to UNOPS.

## **3. Executive Director Principles:**

3.1. The Executive Director Principles (EDP) are the overarching principles and imperatives derived from United Nations Instruments applicable to UNOPS that shall underline all of UNOPS activities and how we, as UNOPS personnel, conduct ourselves.

3.2. All of UNOPS Legislative Instruments shall comply with the EDP.

## **4. Executive Office Directives and Instructions:**

4.1. Executive Office Directives (EOD) are signed and promulgated by the Executive Director to set out UNOPS-wide organizational policies.

4.2. Executive Office Instructions (EOI) are signed and promulgated by the Executive Director or a UNOPS personnel with delegation of authority from the Executive Director to do it (a Delegate), to set out the mandatory procedures, processes and other information required to implement the EOD.

## **5. Operational Directives (OD) and Instructions (OI):**

- 5.1. Operational Directives (OD) are directives signed and promulgated by the Executive Director, or a Delegate.
- 5.2. Operational Instructions (OI) are instructions signed and promulgated by a Delegate under an OD in order to set out the mandatory procedures, processes and other information required to implement that OD.

## **6. Guidance and Informational Documents:**

- 6.1. Guidance and Informational Documents (GD) are documents issued by the Delegate that has issued an EOD/EOI or OD/OI to provide guidance regarding an EOD/EOI or OD/OI.

## **7. Legislative Framework Committee:**

- 7.1. A Legislative Framework Committee (LFC) shall be created by decision of the Executive Director.
- 7.2. The LFC shall be co-chaired by the Executive Director and the General Counsel.
- 7.3. It shall be composed of senior management representatives, as appointed by the Executive Director.
- 7.4. Representatives of other units and the regional offices shall be consulted by the LFC, as may be relevant.
- 7.5. The LFC shall be assisted by a Secretariat, as appointed by the Executive Director.
- 7.6. The mandate of the LFC shall be to consider proposals for new or revised EODs and ODs, and to review and approve the final text of such instruments before they are signed and promulgated.
- 7.7. Proposals for new or revised EOIs and OIs shall be submitted to the LFC Secretariat for information. The LFC Secretariat may in turn submit such proposals to the LFC for review and approval, as need be.
- 7.8. The LFC Secretariat shall report to the Executive Director on the activities of the LFC on an annual basis and make recommendations regarding the improvement of UNOPS legislative framework, as need be.

## **8. Entry into force of UNOPS Legislative Instruments:**

- 8.1. A UNOPS Legislative Instrument shall become effective upon its promulgation and publication to all UNOPS personnel by the Executive Director or the Delegate who

has signed the UNOPS Legislative Instrument in question, unless its effective date is indicated for a future date after its promulgation.

- 8.2. An EOD or OD may only be promulgated after it has been (i) approved by LFC, and (ii) signed by the Executive Director or the Delegate that is issuing the EOD or OD in question.
- 8.3. An EOI or OI may only be promulgated after (i) it has been submitted to the LFC Secretariat for information, (ii) the LFC Secretariat has confirmed that the EOI or OI in question will not be referred to the LFC for approval, or after the EOI or OI has been approved by the LFC, and (iii) it has been signed by the Delegate that is issuing the EOI or OI in question.

## **9. Transitional Measure:**

- 9.1. Organizational Directives (OD) and Administrative Instructions (AI) and other policy documents in force at the time of this EOD, shall remain in force until abolished and replaced by another UNOPS Legislative Instrument.

## **10. Accountability for Legislative Instruments:**

- 10.1. The Delegates that have signed and promulgated UNOPS Legislative Instruments shall be accountable to monitor compliance with such Legislative Instruments, and that such Legislative Instruments are still relevant and up to date, and if not to propose required revisions to the LFC.
- 10.2. They shall report to the Executive Director and the LFC regarding such obligation on an annual basis.

## **11. Policy Repository:**

- 11.1. After a UNOPS Legislative Instrument has been promulgated, it shall be uploaded to UNOPS Intranet by the LFC Secretariat, which shall act as repository for all UNOPS Legislative Instruments.

## **12. Inconsistencies:**

- 12.1. In case of inconsistencies between any Instruments of legislative framework, the Instrument with priority in the hierarchy set out in Section 1 of this EOD shall prevail.
- 12.2. In case of inconsistencies between any Legislative Instruments at the same level in the above hierarchy, the conflict shall be resolved by the relevant Delegates that have issued such instruments, in consultation with LFC. In the event such a conflict cannot be resolved, the final determination shall be made by the Executive Director.

**13. Interpretation:**

13.1. In case any of legislative instruments need to be interpreted, such interpretation shall be provided by the Delegate that has issued such instrument, in consultation with the LFC, and ultimately by the Executive Director, as need be.