INTRODUCTION TO ETHICS IN ELECTORAL PROCUREMENT

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OBJECTIVE

• Understanding of ethical principles in the context of UNDP
• Understanding of impact of unethical behaviour
• How to handle ethical dilemmas and sharing best practices
• Highlighting where to find relevant documents
Context

• Increased business volume => higher public pressure

• Added scrutiny (due to recent high profile cases ie. Oil for Food)

• No matter how seemingly insignificant, a breach of ethics at a minimum, effects credibility and is difficult to recover from

• Impropriety can harm UNDP reputation as a UN organization
Ethics is the discipline relating to right and wrong, moral duty and obligation, moral principles and values, and to moral character.

**ETHICS**  Greek word ‘ethos’… implies character and customary behaviour

**MORALITY**  Latin word ‘mores’…. refers to social customs

Each group (sub-group), organisation (sub-organisation) has an ‘ethical code’…. whether written or not.
TWO ETHICAL APPROACHES

UTILITARISM
- Values the end result, end, utility of an action
- Often times seeks to answers the question, ‘why not?’
+ Gets things done
- May be at the expense of integrity, ethics, etc.; can be short-sighted

FORMALISM
- Values the intention, means, the form of an action
- Often times seeks to answers the question, ‘why?’
+ Does things ‘right’, takes a longer-term perspective
- Creates bureaucracy, may take longer to get things done initially, and especially when proper form is not taken
PUBLIC EXPENDITURES BY DEFINITION, APPLIES ‘FORMALISM’

GLOBALLY RECOGNISED PUBLIC EXPENDITURE VALUES

- Integrity, Transparency, Honesty, Fairness
- Competition
- Equal Treatment
- Organisational Objectives
- Client Service
- No Conflict of Interest
- Due Diligence
- Confidentiality

EMPHASIS IS ON THE PROCESS
ETHICAL CODE HELPS TO ANSWER THE QUESTIONS:

• WHAT MUST I DO?
• WHY MUST I DO THAT?

Especially when there is not a specific law or procedure on the question

• SPIRIT OF THE LAW vs. LETTER OF THE LAW

Ethical norms help compliance to spirit of the law
FEELS LIKE ...
ALMOST TIP-TOEING ON A FINE BALANCE BETWEEN TWO OPPOSITE POLAR
DIVERSITY OF CULTURES = DIVERSITY OF PERSPECTIVES

- Plural world
- Different backgrounds
- Different understanding of ethics

ALTHOUGH WE MUST RESPECT DIVERSITY, WE ALSO MUST FIND A COMMON GROUND WHEN WORKING TOGETHER IN THE UN
UNDP’s ‘COMMON GROUND’ & OUR FORMALISTIC APPROACH ARE FOUND THROUGHOUT...
MISSION, RULES AND REGULATIONS DEFINE
VALUES OF ORGANISATION & RIGHTS
AND OBLIGATIONS OF STAFF

- UN Charter (Chapter XV, Article 101; signed in 1945)
- UN Staff Regulations (Art. I) and Rules (Chapter I) incl. Oath of Office
- Standards of Conduct in the International Civil Service (1954, revised in 2001)
- Status, Basic Rights and Duties of UN Staff Members (2002)
  - Incl. excerpts of UN Charter, relevant staff regulations and rules incl. comments, and Standards of Conduct in the International Civil Service (revised version of 2001)
MISSION, RULES AND REGULATIONS DEFINE VALUES OF ORGANISATION & RIGHTS AND OBLIGATIONS OF STAFF

- UNDP’s mandate
- UNDP Financial Regulations and Rules
- UNDP Fraud Policy Statement
- UNDP Financial Regulations and Rules
- UNDP Internal Control Framework
- UNDP Prescriptive Content “Legal Framework for Addressing Non-Compliance with Ethical and Professional Standards”
UNDP’s GUIDING PROCUREMENT PRINCIPLES

- Best Value for Money
- Fairness, Integrity and Transparency
- Effective International Competition
- In the interest of UNDP
SEGREGATION OF DUTIES

IDENTIFY NEEDS

EOI - SOURCING

PROCUREMENT METHOD & SOLICITATION DOCUMENTS

RECEIPT & OPENING OF OFFERS

EVALUATION

CONTRACTS REVIEW COMMITTEE

AWARD & CONTRACT FINALISATION

DELIVERY

GOODS RECEIPT

INVOICE CERTIFICATION

PAYMENT

END USER MONITORING

REVIEW

COMMITTEE

CONTRACT MANAGEMENT & ADMINISTRATION

CHECK AND BALANCE

GOOD PRACTICES

SEGREGATION OF
CONTROL

FRR

GP
GOOD PRACTICE WHEN WORKING WITH SUPPLIERS

• Business should be conducted during normal working hours
• Meetings with suppliers should take place in the presence of at least two UNDP staff members
• Suppliers should not be invited to UNDP staff’s personal workstation but to common areas i.e. canteen
• Meetings should have an agenda and minutes
• Ensure sufficient distance when working with suppliers

The intention is to protect the suppliers and the staff
GOOD PRACTICE - GIFTS

• Gifts from suppliers must not be accepted – Zero Tolerance Policy
• Seek to avoid lunches and dinners with suppliers altogether
• Invitations of social kind – sporting/cultural events, holidays etc must always be refused

Avoid to place yourself in a position of conflict of interest by accepting gifts
WHAT CAN WE DO IN OUR DAILY WORK TO MAINTAIN THE ETHICAL VALUES OF UNDP?

- Know regulations, rules and procedures, including the spirit of the law
- Know and apply the UNDP’s ethical values
- Be self reflective & when in doubt, ask
- Discuss openly difficult situations and examples of good behavior
- Help create a culture of ethical behavior
Thank You