



**UNITED NATIONS
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STRICTLY CONFIDENTIAL

**OFFICE OF INTERNAL OVERSIGHT SERVICES
INVESTIGATIONS DIVISION**

**REDACTED
REPORT OF INVESTIGATION**

ID CASE NO. 0575/03

27 April 2005

**Investigation into the allegation that a UNON/ITS staff member obtained money from UNPOS on the promise that s/he would facilitate the installation of the New York tie-line connection to the RSG residence.
(ID/OIOS Case No. 0575/03)**

I. INTRODUCTION

1. In October 2003, the Investigations Division of Office of Internal Oversight Services (ID/OIOS) received information that in May 2003 UNON/ITS Staff Member, a staff member in the Information Technology Service of the United Nations Office in Nairobi (UNON/ITS), solicited and obtained Ksh 22,250 (US\$294.70) with the promise to extend a New York tie-line satellite connection from the United Nations Political Office for Somalia (UNPOS) to the residence of the Representative of the Secretary General. Given the low priority of this case, it was investigated when time and resources permitted. The investigation is now complete.

II. APPLICABLE LAW

Staff Regulation 1.2

(b) Staff members shall uphold the highest standards of efficiency, competence and integrity. The concept of integrity includes, but is not limited to, probity, impartiality, fairness, honesty and truthfulness in all matters affecting their work and status...

Financial Regulations and Rules of the United Nations, ST/SGB/2003/7 of 9 May 2003

A. Rule 101.2 *“All United Nations staff are obligated to comply with the Financial Regulations and Rules and with administrative instructions issued in connection with those Regulations and Rules. Any staff member who contravenes the Financial Regulations and Rules or corresponding administrative instructions may be held personally accountable and financially liable for his or her actions.”*

C. Regulation 5.12: *Procurement functions include all the actions necessary for the acquisition, by purchase or lease, of property, including, all products and real property, and of services, including works. The following general principles shall be given due consideration when exercising the procurement functions of the United Nations:*

- a) Best value for money;*
- b) Fairness, integrity and transparency;*
- c) Effective international competition;*
- d) The interests of the United Nations.*

III. METHODOLOGY

3. ID/OIOS reviewed documents relevant to the investigation and researched pertinent United Nations rules and regulations as well as local laws. ID/OIOS also interviewed witnesses in UNON, UNPOS and UNDP offices in Nairobi.

IV. BACKGROUND INFORMATION

4. UNPOS is a mission set up by the Department of Political Affairs (DPA) and is headed by a Representative of the Secretary General (RSG). UNPOS is based at the UNON compound in Gigiri, Kenya and receives common services support from UNON.

V. INVESTGATIVE DETAILS

5. ID/OIOS interviewed various members of the UNPOS staff who provided the following information. The UNPOS Official wished to extend the New York tie-line satellite connection from the RSG office to the RSG residence. His/her staff located the UNON/ITS Staff Member who said s/he could provide the connection with the purchase of a few items of equipment. UNPOS requested, on 15 May 2003, that a cheque for Kshs 22,250 be issued to the UNON/ITS Staff Member for this purpose, which s/he cashed. However, s/he never provided the service, nor did s/he return the money when asked. On 27 August 2003 the UNPOS Official's administrative assistant made a formal request to the UNON Official for the installation and on 7 October 2003 a letter from UNPOS signed by the UNPOS Official to the UNON Official alleged that the UNON/ITS Staff Member had promised this service, received payment but had not provided the service or returned the money.

6. ID/OIOS interviewed the UNON/ITS Staff Member, who claimed that his/her verbal proposal to UNPOS was that s/he would prepare the equipment for the satellite link, but that installation was to be carried out by a licensed company. S/he said that the payment to him/her was only for preparation of the equipment. S/he explained that his/her advice that the satellite connection was possible was based on his/her projected use of required equipment that was lying unused in the UNON workshop. However, s/he did not get approval for the use of this equipment at the time of his/her proposal from his/her supervisor, the UNON Official, who was on leave. When s/he did speak to the UNON Official, s/he was told that the equipment could not be used by UNPOS and that UNPOS should initiate a procurement procedure for the job or arrange to purchase and install the equipment itself. The UNON/ITS Staff Member gave this information to the UNPOS Official's administrative assistant. S/he told ID/OIOS that s/he was willing to refund the money, but had not done so.

7. ID/OIOS interviewed the UNON Official. S/he stated that upon receipt of the formal request for installation of the satellite link, s/he informed UNPOS that the equipment required would cost \$11,560. S/he told ID/OIOS that the proper procedure to obtain this link required UNPOS to make a formal request to his/her office and, after its approval, a procurement process would take place. Due to limitations of staff and a lack of licensing authority, UNON/IT could

play an advisory role, but the company that won the bid would provide equipment and installation.

8. The UNON Official also told ID/OIOS said s/he had not known of the UNON/ITS Staff Member's initiative until after s/he received UNPOS' formal request for the satellite link. After receipt of the UNPOS Official's letter of 7 October 2003, s/he referred the matter to the UNON Security and Safety Unit for investigation.

VI. FINDINGS

9. UNPOS attempted to achieve an extension of the satellite link from its office to the residence of the RSG. A verbal arrangement was made with the UNON/ITS Staff Member and payment arranged for him/her of Ksh 22,250.

10. While the UNON/ITS Staff Member claimed that s/he told UNPOS that s/he was using the money to purchase equipment to repair a power supply for the project and that installation would have to be carried out by a licensed company, UNPOS' claim that the agreement was that the UNON/ITS Staff Member was to handle the entire project for this sum is supported by the evidence.

11. The UNON/ITS Staff Member had intended to use expensive equipment from the UNON workshop, but did not receive permission to do so from his/her supervisor prior to his/her arrangement with UNPOS. When the UNON Official learned of these arrangements, s/he told the UNON/ITS Staff Member the equipment could not be used by UNPOS and that a request for extension of the satellite link must go through the proper channels.

12. UNPOS did not receive an extension of its satellite link to the residence and the UNON/ITS Staff Member did not return the money paid him/her.

VII. CONCLUSION

13. By personally undertaking to extend the satellite link to the RSG residence, receiving money for said undertaking, failing to provide the satellite link and refusing to return the money paid to him/her, the UNON/ITS Staff Member acted contrary to his/her obligations under Staff Regulation 1.2

14. By personally undertaking to extend the satellite link to the RSG residence, the UNON/ITS Staff Member acted contrary to his/her obligations under The Financial Regulations and Rules of the United Nations ST/SGB/2003/7, Regulation 5.12.

VIII. RECOMMENDATIONS

Based on the findings of this report, ID/OIOS recommends the following corrective actions:

Recommendation 1: It is recommended that UNON takes appropriate action against the

UNON/ITS Staff Member. (ID Rec. No. IV03/575/01)

Recommendation 2: It is recommended that UNON takes corrective measures to ensure that the UNON/ITS Staff Member refund the money s/he collected from UNPOS. (ID Rec. No. IV03/575/02)

Recommendation 3: It is recommended that UNON and UNPOS administration instructs staff on the necessity that procurement procedures be followed. (ID Rec. No. IV03/575/03)

Recommendation 4: It is recommended that UNON issues advice to staff and UNON-based agencies emphasizing the necessity of submission of written requests for services. (ID Rec. No. IV03/575/04)

Recommendation 5: It is recommended that UNON administration shares the findings of this report with the Representative of the Secretary General, UNPOS. (ID Rec. No. IV03/575/05)
