

# Code of Conduct for OECD Officials



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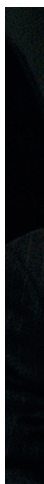
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# Code of Conduct for OECD Officials

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# Foreword



Every day, the OECD is facing new challenges. In a world that evolves constantly and rapidly, the Organisation has to adapt to remain at the cutting edge and deliver to its Member countries the highest degree of expertise they need. In this strive for excellence, the Organisation's best asset is its staff.

The skills, competencies, experience and the professionalism of OECD staff are key to helping the Organisation fulfill its core missions and strategic goals. In this context, and because of the international nature of our duties, our standards of professional ethics must be amongst the highest.

It is therefore my wish and my commitment that this Code of Conduct contributes to keeping the ethical standards of the OECD in line with best practices. These standards should be seen as our common understanding of the professional values and culture the Organisation wants to promote and uphold.

The Code is not a stand alone document. Its purpose is to explain our statutory provisions, set out in Title II of the Staff Regulations, in simple and concrete terms. Accordingly, the Code of Conduct does not replace existing legal provisions, nor does it expand or restrict their scope.

At the same time, whilst it provides a broad range of guidance concerning standards, integrity and the conduct required from OECD staff members, the Code of Conduct cannot address all situations. It is not a substitute for personal responsibility, but is intended to serve as a guideline for each of us in the way we carry out our daily duties.

I would like every OECD staff member to carefully read the Code of Conduct and embrace the principles recalled therein. These principles must lie at the heart of our day-to-day work, thereby contributing towards building a better world economy, which is our core mission.

A handwritten signature in black ink, appearing to read 'Angel Gurría', written over a horizontal line.

**Angel Gurría**  
OECD Secretary-General

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# Preamble

1. The rules governing the conduct of officials of the OECD are set forth in the OECD's Staff Regulations, Rules and Instructions applicable to Officials of the Organisation, complemented by decisions made by the Secretary General or under his authority.<sup>1</sup> These rules have been adopted to ensure that the conduct of each official of the Organisation not only meets the generally accepted ethical standards of the international civil service but also is perceived as such. They are binding and their violation may give rise to the application of disciplinary sanctions. As an official of the Organisation, you have an obligation to observe these rules, but you also have a right to invoke them to the extent that their violation affects your dignity or the performance of your official duties. It is both in your interest and your responsibility, therefore, to familiarise yourself with these rules.
2. Experience has shown that a better understanding of these rules and of their practical implications would facilitate their observance and, as your employer, the Organisation is prepared to help you in this regard.
3. The adoption of this Code by the Organisation is a contribution to this common endeavour. It is not intended to duplicate the existing rules or to expand or restrict their scope, but to provide guidance to officials of the Organisation in the observance of these rules with a view to achieving their objectives.
4. It must be noted, however, that this Code cannot cover all possible situations. In cases of doubt, you may seek advice from an authorised source within the Organisation and act confidently on the basis of that advice as explained in Section IV below.
5. This Code is organised as follows: Sections I, II and III describe, in general terms, the principles that should guide your conduct as an official of the Organisation; Section IV explains what you should do to seek advice if you have a doubt on how to behave in a particular situation; Section V explains what you should do if you are a victim of or witness misconduct; Section VI offers examples of commonly asked questions concerning certain situations and provides responses to these questions.

1. To the extent that similar rules apply to temporary staff (salaried consultants and auxiliaries) the present Code is applicable.

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# I. General principles



## Loyalty and Independence

6. As an official of the Organisation, you have a duty of loyalty to the Organisation and you perform your duties under the authority of the Secretary-General. Not only must you further the interest of the Organisation, but you should not be influenced in your work by any other interest, including the interest of your own country or government.

7. You must act independently of any authority or person external to the Organisation in your work and in the exercise of your function. In particular, you may not seek or accept instructions from any government or any of its subdivisions or agencies.

8. While conduct that furthers good working relations with Members of Permanent Delegations, and with Member countries in general is in the interest of the Organisation, this must not result in any conflict with your independence as an international civil servant and your duty of loyalty to the Organisation.

In this context, you should, if it is part of your duties, present the views of the Secretariat on the relevant issues. It may also be appropriate, as part of your duties, to provide factual information, policy and technical advice or assistance in relation to the preparation of draft decisions or recommendations, with a view to fostering consensus amongst the Members countries.

You may express, as part of your official duties, a professional opinion that is contrary to a policy or decision of another part of the Organisation in a reasoned

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and discreet manner within the Secretariat. However, once the Secretariat has adopted a particular position on questions under discussion, you should refrain from expressing views outside the Secretariat that would undermine that position or could cast a doubt on the impartiality of the Secretariat. You should also refrain from disclosing any confidential information (e.g. documents, data, personnel matters).

## Impartiality

9. Your work for the Organisation should not be influenced by your past, current or prospective relationships, whether professional, personal or financial, with any government, institution or person. Nor should it be affected by any personal opinion, whether positive or negative, you may have of any country, government, institution or person.

10. You should refrain from taking any action or making any statement that could cast a doubt on your impartiality. In particular, gifts or favors from outside sources can be seen as affecting your impartiality, even if in your judgment they have no such effect. Therefore, you should not seek or accept any gratuity or benefit in connection with your official duties or by reason of your status as an official of the Organisation, or any remuneration or honorary distinction, whether related or unrelated to your work or status as an official of the Organisation, unless you have been authorised to do so, as explained in the next paragraph.

11. A general authorisation has been granted by the Secretary General for the following four types of remuneration or distinctions: (i) retirement pay or pensions, (ii) honoraria for public appearances or publications which are either turned over to the Organisation to fund activities of the official's directorate or donated to a charity recognised by the Organisation, (iii) normal and customary hospitality and protocol gifts (up to 100 Euros in value) and (iv) honorary distinctions awarded for work accomplished before the official's appointment or for work unconnected with official duties (provided the Head of Human Resource Management was notified of the distinction and did not raise any objection within fifteen days). In all other cases, the request for authorisation should be submitted to the Head of Human Resource Management.

## Discretion

12. You should not disclose any confidential information you have acquired in connection with your work for the Organisation. You should also ensure that any confidential documents or data in your possession are properly safeguarded, in accordance with applicable OECD security policies and procedures.



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13. Information, including documents and data, received by the Organisation on the understanding that it is only for internal use, or generated in the course of its work but not released by the Organisation, is regarded as confidential and should be treated in accordance with OECD policies and procedures.

## Privileges and Immunities

14. You must avoid actions that could be perceived as an abuse of the privileges and immunities conferred on the Organisation and its officials. For example, even if your remuneration from the OECD is tax exempt, you may still be subject to tax obligations for any income received from other sources. You may also have to pay property or other taxes on your place of residence or other assets. Also, you should not take advantage of your special tax status to seek or accept means-tested benefits, which may be granted on the basis of “taxable income” and to which, taking into account your income from the Organisation, you are not entitled. The Organisation would regard as harmful to its reputation any failure by one of its officials to discharge tax obligations or to declare income from the Organisation when seeking or accepting such means-tested benefits.

15. You should be aware that the immunity of officials from civil suit or criminal prosecution is limited to official actions; officials of the Organisation do not enjoy diplomatic immunity. Moreover, the immunity of officials from civil and criminal jurisdiction is conferred for the sole benefit of the Organisation. Therefore, it cannot be invoked in cases unrelated to the performance of official duties. Officials of the Organisation are expected to comply with the requirements of applicable laws with respect to the discharge of their civil obligations, and in particular with the payment of alimony and child support as may be required. They are also expected to comply with the requirements of local criminal laws. Failure to discharge substantial civil obligations, as well as major intentional violations of criminal laws, when brought to the attention of the Organisation and properly substantiated, would be regarded as harmful to the reputation of the Organisation.

16. The right to decide whether an official’s immunity from jurisdiction shall be claimed or waived is with the Organisation. Therefore, if you wish to invoke such immunity, you will need to address a request to the Secretary-General through the Head of Human Resource Management.

17. Respect for privacy does not preclude the Organisation from acting with regard to an official whose conduct outside the Organisation is incompatible with the status of an international civil servant. This includes actions which could damage the Organisation’s reputation or be perceived as an abuse of the privileges and immunities of the Organisation and its staff. Accordingly, such actions may give rise to the application of disciplinary sanctions.



## II. Conduct within the OECD

### Integrity

18. You are expected to act with the utmost integrity in the performance of your work and in all your relations with the Organisation.

19. Integrity in carrying out your work implies a duty to do your work to the best of your abilities. The duty to do your work to the best of your abilities also implies an obligation to share information with other officials that is necessary for the discharge of their duties and, in particular, to facilitate the horizontality of the Organisation's work, that is to say the co-operation between different sectors of the Secretariat.

20. You should not withhold information that is relevant to the benefits you receive from the Organisation. New circumstances that affect your eligibility for certain benefits must be reported promptly.

21. You should carefully manage the resources of the Organisation for which you are responsible, by always bearing in mind the need to optimise their use with a view to improving the efficiency and effectiveness of the Organisation. In this respect, you should familiarise yourself with the Staff Regulations, Rules and Instructions, as well as the Financial Regulations, Rules and Instructions, insofar as they are relevant to the discharge of your duties.

22. You must avoid any misuse of the Organisation's resources. In particular, you should not use the Organisation's resources for your own personal benefit or for the benefit of third parties. You may nevertheless use the equipment made available to you by the Organisation, such as telephones, copiers and computers for personal reasons, as long as this use remains occasional and does not interfere

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with your work. If you use a telephone for personal reasons, you will be expected to cover the cost of long-distance or other toll communications.

23. You should not, in your words or actions, compromise your integrity by condoning or appearing to condone fraud, corruption or misuse of the Organisation's resources by other persons, including other officials of the Organisation. You should express your disapproval of any statement or other manifestation of intention to commit such acts and, if you know or have strong reasons to suspect that such acts have taken place, you should report them, as set out below (Paragraph 51).

## **Responsibilities /Abuse of authority**

24. You should not take actions that exceed the scope of your authority. If you are unsure of the scope of your authority, you should ask your supervisor.

25. If you delegate a task, you remain accountable for its execution. Therefore, you will need to exercise adequate supervision and control.

26. If you are a manager, you should not, in any circumstances, use your authority over your subordinates to prevent them from fulfilling their official duties. Nor should you use your authority to obtain personal benefits or favours from your subordinates.

## **Conflicts of interest**

27. You should avoid any conflict of interest or appearance of conflict of interest. A conflict of interest involves a conflict between the public duties and the private interests of an official of the Organisation in which the official has private-capacity interests which could improperly influence the performance of his official duties and responsibilities.<sup>2</sup> In case of doubt, or if the situation giving rise to the conflict of interest or the appearance of a conflict of interest has already been created, you should inform your supervisor.

28. For example, if you are recruiting personnel of whatever status for the Organisation and one of the candidates is related to you or has a close (personal or financial) relationship with you, you should recuse yourself. This also applies to performance evaluations or promotions of any member of personnel of whatever status who is related to you or has a close relationship with you. In general, you should bear in mind that any attempt to influence the career development of any member of personnel of whatever status who is related to you or has a close relationship with you may lead to a conflict of interest or the appearance of a conflict of interest and should therefore be avoided.

2. The definition of conflict of interest is included in the 2003 OECD Guidelines for managing conflicts of interest in the public service.

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29. If you are responsible for negotiating procurement contracts on behalf of the Organisation, including intellectual services contracts, and you have a direct or indirect interest in, or a close relationship with one of the potential providers, you should recuse yourself and refer the matter to your supervisor.

30. If you are considering leaving the Organisation and are in the process of negotiating with a prospective employer, you should not engage in any task within the Organisation that creates, or may appear to create, a conflict of interest between the Organisation and the prospective employer. In case of doubt, or if you are assigned such a task, you should inform your supervisor.

## **Tact and courtesy**

31. You should treat your colleagues and all other persons with courtesy and respect.

- a) You should refrain from verbal or physical abuse and any form of harassment. In particular, you should avoid making disparaging statements on the grounds of nationality, opinions or beliefs, culture, ethnicity, gender, or personal life.
- b) If you wish to make use or significant reuse of the work of your colleagues as part of your own work, notably in publications, you must also inform those whose work you wish to use of your intentions, where appropriate seek advice from them to make sure that their work is used objectively, and lastly acknowledge the contribution of the colleagues concerned in your communications with your supervisors or in your publications.

32. You should be aware that statements or actions that are not intended to be offensive or to intimidate a person may be perceived as such by that person. You will need to use your judgment and, if you think that there is a risk of such perception, refrain from making these statements or taking these actions.

## **Interpersonal conflicts**

33. If you are a supervisor, you are expected to maintain good working relations and an atmosphere of tolerance and mutual respect among your subordinates. Not only should you provide them with advice and guidance for the performance of their work, but you should also make yourself available and, with an open mind, listen and respond to any work-related questions, comments, objections or complaints they may have. Conflicts should be addressed proactively and, as much as possible, resolved at an early stage, in a sensitive and impartial manner. You may want to be assisted in this endeavour by a representative of Human Resource Management. You may also ask the Organisation's mediators to intervene.



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## III. External activities



### Statements and publications

34. You should refrain from making public statements, including publishing articles or books on any subject matter, that are incompatible with your obligations as an OECD official, in particular your obligation of tact and discretion. In addition, these statements, if remunerated, will be subject to the principles set out in para. 11.

35. In principle, you may make public statements concerning the Organisation, its activities or the positions taken by individual Member countries only with the permission of the Organisation.

36. Nevertheless, you may make public statements about activities of the Organisation in respect of which you have clearly allocated responsibility. However, before making such public statements, you should inform your Director or Head of Service. Directors and Heads of service have responsibility for ensuring that public statements are compatible with the Organisation's policies and interests, and officials should seek guidance from them when appropriate. Directors and Heads of service may delegate this task to their Deputies and heads of division.

In some circumstances, including when a public statement is not made in your official capacity, you will have to make clear that the public statement does not necessarily represent the views of the Organisation.

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## Other employment / Professional activities

37. In principle, employment with the Organisation is not compatible with other gainful employment or professional activities. However, occasional remunerated activities, including teaching activities or publications, may be engaged in subject to the prior approval of the Head of Human Resource Management. As explained above, however, you may receive honoraria for public appearances or publications, without prior authorisation, if these honoraria are turned over either to the Organisation or to a charity recognised by the Organisation. Exceptionally, officials holding a part-time appointment with the Organisation may be authorised by the Head of Human Resource Management to engage in another regular and remunerated activity.

## Financial activities

38. You may not use information obtained in the course of your official duties to obtain undue benefits for themselves or third parties, or for any other inappropriate purpose

## Public functions / Political activities

39. You are not allowed to seek or hold public office, unless authorised by the Secretary General. The request for the Secretary General's authorisation should be submitted to the Head of Human Resource Management.

40. Therefore, if you intend to run as candidate for an elective political function, you should first seek authorisation for the exercise of that function.

41. Similarly, if you are invited to participate in an advisory commission whose members are appointed by a government or one of its subdivisions or agencies, you should not accept the invitation unless you have been authorised. Your participation, once approved, will be deemed to be part of your official duties within the Organisation.

42. While you may be a member of a political party and participate in its meetings, you should refrain from playing a prominent role in partisan politics in a member country and from making statements incompatible with your obligation of tact and discretion.

43. You should also refrain from playing an active or prominent role in a non-governmental organisation which may seek to influence public policy debates within the Organisation.

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## Other activities

44. You may, outside working hours, engage in non-remunerated activities, such as education, research, culture, religion, sports, charity or social work, subject to the principles mentioned above on public statements and publications and on participation in non-governmental organisations.

## Post-employment obligation of confidentiality

45. You should be aware that after you leave the Organisation, you will continue to be bound by the obligation to protect the confidentiality of information that has come to your attention in the course of your former duties for the OECD, and in particular of any unpublished information.



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## IV. Responses to individual queries



46. The Organisation has adopted procedures to help you comply with your obligations under the Staff Regulations, Rules and Instructions applicable to Officials of the Organisation and related decisions. The objective of these procedures is to give you the assurance that, if you follow them and act in accordance with the response to your questions or the authorisation granted to you, you will be in compliance with these obligations.

47. For queries on any matter pertaining to the present Code of Conduct, unless otherwise specified, you may contact the Head of Human Resource Management. Human Resource Management will let you know whether the action you are considering is prohibited or permitted or requires prior authorisation and, if an authorisation is required, how it should be requested.



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## V. Reporting of misconduct



48. Violations of the rules governing the conduct of officials of the Organisation (“misconduct”) are harmful to the reputation of the Organisation and its officials. They may also be detrimental to the achievement of the objectives of the Organisation and to the performance by its officials of their work. Whether you are a victim or a witness of acts of misconduct, you are expected to report them; anonymous reports may be allowed on an exceptional basis.

49. If you are a victim of harassment, the relevant facts, with the names of any witnesses, can be reported in accordance with the procedure described in Annex XX of the Staff Regulations. Other cases of misconduct against you can be reported to your supervisor or your Client Services Group Manager.

50. If you witness major or repeated acts of misconduct committed by an official of the Organisation against another official or person, at the workplace or outside, you are expected to report these acts to your Client Services Group Manager.

51. Any cases of fraud, corruption or misuse of the Organisation’s resources you know of, or have strong reasons to suspect, must be reported to the Secretary-General either directly or through a director or head of service, the Director of Internal Audit or the Executive Director. If you consider that a significant problem communicated in this fashion has not been properly addressed, you must bring it to the attention of the External Auditor and may bring it to the attention of the Council.<sup>3</sup>

52. Any form of retaliation or prejudice as a result of reporting misconduct is itself misconduct and will not be tolerated. If you believe you are being subjected to retaliation or prejudice on this basis, you should bring it to the attention of your supervisor, director or head of service or Client Services Group Manager for appropriate action.

3. For more details, you may refer to Staff Instruction 103/3.1.

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## VI. Examples



### General principles

1. *I have received a copy of the Code of Conduct. What am I supposed to do with it?*

You should read the Code of Conduct carefully and familiarise yourself with its content. This is both your responsibility and in your interest: the Code of Conduct is intended to provide guidance on the existing rules governing the conduct of officials of the OECD. Knowing the rules can protect you in the performance of your official duties in several ways: On the one hand, it may protect you against being accused of having violated the rules. On the other hand, you also have a right to invoke them if their violation by others affects your dignity or the performance of your official duties.

2. *As part of my work for the Organisation, I have a close working relationship with the editor of a publishing company. He has recently invited my wife and me to attend the annual away day of the company which will take place at a four star hotel in a holiday resort in Southern France and involve a wine tasting event and a golf tournament. The company would pay for our trip, lodging and meals. What should I do?*

You should politely let your contact at the company know that you will not be able to attend. Client-paid entertainment will be considered according to the rules applicable to gifts, in particular, if the invitation is extended to you on a personal basis and not to the Organisation as such and if the event is not directly work-related.

3. *Certain support services within the Organisation receive invitations by private service providers to events during which the respective service provider will present its latest products and discuss future product developments with various stakeholders. The invitations sometimes include payment of travel and lodging costs. Can such invitations be accepted and if so, under which conditions?*

Such invitations can be accepted, as long as it is in the interest of the Organisation to attend. To be in the interest of the Organisation, a number of

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conditions need to be met a priori: (a) the respective event is directly related and directly relevant to the work of the respective service; (b) the invitation is not extended to a particular individual, but to the Organisation as such; (c) the event takes place in a workshop or conference type format and not in a leisure environment; (d) there is no competitive procurement process for products or services sold by the supplier currently pending or envisaged. There may be other relevant factors, in particular other potential sources of conflict of interest to consider in deciding whether acceptance of the invitation is in the interest of the Organisation. The decision is ultimately to be taken by the respective Head of Service, if appropriate in consultation with the Head of Human Resource Management.

4. *During a recent mission, I was given a present by official counterparts. I felt it was not possible to refuse, but now I am uncertain whether I am allowed to keep this because it looks expensive. What should I do?*

If you are not sure whether the value of the gift exceeds 100 Euros, which is the threshold amount for acceptable gifts, you should report it to the Head of Human Resource Management who will decide whether you can keep the gift or whether it will be the property of the Organisation.

5. *I have been involved in the preparation of a particular recommendation for one of the Organisation's committees. After several months of work, we have recently completed this project, and the chairperson has invited me, as well as other members of the Secretariat, for lunch at a local restaurant, to mark the occasion. My I accept this invitation?*

Yes, you may, since this invitation is related to your work and considered to be part of customary hospitality.

6. *Can a refusal to comply with a court order to pay spouse or child support be contrary to the standards of conduct?*

Yes, since this may harm the reputation of the Organisation. Officials of the Organisation are expected to comply with the requirements of applicable laws with respect to the discharge of their civil obligations, and in particular regarding the payment of alimony and child support. They should not take improper advantage of the fact that OECD income is not subject to wage garnishment under local court orders.

7. *Because of my position in the Organisation, I have a "CD" car number plate. Does it mean that I am exempt from the provisions set out in the French "Code de la Route"?*

No, and you are expected to pay for any fines related to violations of the "Code de la Route". OECD officials do not enjoy diplomatic immunity. The

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“CD” car number plate is a facility granted by the host country, essentially giving exemption from certain taxes, but does not provide exemption from applicable local laws. The Organisation would consider it as harmful to its reputation and it would therefore potentially be a basis for disciplinary proceedings, if an OECD official falsely claimed vis-à-vis the public authorities to have diplomatic immunity because of his “CD” car number plate.

8. *My income as an OECD official is exempt from taxation. What implications does this have if I apply for public benefits based on taxable income (means-tested benefits)?*

OECD officials may not take advantage of their special tax status in order to ask for means-tested benefits to which they would not be entitled if account were taken of their income from the Organisation. Such benefits, normally reserved for low-income categories of the population, include interest-free mortgages, low-rent public sector housing and the lowest charges for the use of kindergartens, school outdoor centres or holiday camps for children.

You should therefore refrain from applying for benefits for which you would clearly not qualify, if your income as an OECD official were taken into account. When applying for benefits you are entitled to but giving rise to income-related charges, you should submit not only a copy of your tax declaration, but also a copy of your most recent pay slip, together with a letter explaining that, while your income as an OECD official is exempt from taxation in France, you are earning the income set out in your pay slip, and asking for a confirmation of the rate applicable to your case under these conditions.

9. *I am not satisfied with an administrative decision of the Organisation. May I contact my national delegation to the OECD so that they try to solve the issue with the Organisation?*

No. In the first instance, you may wish to try to resolve the matter amicably through various existing channels. You may discuss with your supervisor, the Director or Head of Service, your Human Resources Advisor, the Social Advisors, the OECD Mediators or the Staff Association. If the matter cannot be resolved amicably, you may seek recourse before the Joint Advisory Board or the Administrative Tribunal, by following the procedures set out in the OECD’s Staff Regulations, Rules and Instructions applicable to Officials of the Organisation. You should in any event settle any individual disputes you may have with the Organisation exclusively through the internal channels. Bringing the matter to the attention of your national delegation would be contrary to your obligation of loyalty towards the Organisation and would also result in a disclosure of confidential information.

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10. *I am an anti-bribery expert at the OECD and I would like to start an external blog on the internet on anti-bribery issues. Is this permitted?*

This may be problematic for several reasons: a statement in a blog on the internet is deemed to be a public statement and the Organisation has detailed rules on public statements, as explained in Paragraphs 34 to 36 of the present Code of Conduct and in the examples set out below. As a general rule, you need prior permission before making a public statement concerning the Organisation or its activities, unless it is an area in respect of which you have clearly allocated responsibility and you have informed your hierarchy.

You should therefore talk to your supervisor first, describe the issues you intend to post on your blog and discuss with him whether and to what extent you will need prior clearance. Regardless of the specific content, your general obligations of tact and discretion as an OECD official will continue to apply.

In addition, you should be aware that the Organisation has adopted policies on information and communications technology which are published and updated on ITN's webpage on the intranet. You should familiarise yourself with these policies before posting anything on your blog from your work computer. Finally, running the blog should obviously not interfere with your work hours.

## **Conduct within the Organisation**

11. *I am selling fair trade cotton bags on behalf of my local charity. May I ask my colleagues whether they wish to buy some?*

Yes, so long as there is no pressure placed on colleagues to make a purchase and as long as this interferes neither with your work hours nor the work facilities made available by the Organisation.

12. *I am aware that a colleague of mine has made false claims in the context of a recent mission. What should I do?*

If you become aware of fraud, corruption or misuse of the Organisation's resources, you are required to bring it to the attention of the Secretary-General either directly or through a director or head of service, the Director of Internal Audit or the Executive Director. You can report such behavior without fear of reprisal. Before doing so, you may also consider raising privately with the colleague your concern about the unethical behavior. Under no circumstances should you actively participate in, or facilitate the commitment of, an ethical violation by another staff member.

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You should be assured that any retaliation or threat of retaliation against anyone reporting fraud, corruption or misuse of the Organisation's resources will be considered a violation of acceptable standards of conduct and may result in disciplinary action. You should also be aware, however, that any accusation or complaint shown to be made in bad faith will also be considered a violation of acceptable standards of conduct and will be treated in the same manner.

13. *A friend of mine has forwarded to my OECD e-mail account an e-mail containing pictures some of which are sexually explicit. May I forward it to colleagues and friends in the Organisation?*

No. The primary purpose of the e-mail facilities is for official communication. The use of e-mail for personal purposes is permitted only as long as it is occasional, does not encroach on work time and does not overburden the electronic network, which is an obvious risk when forwarding e-mail with picture attachments. In addition, it is expected that staff members will avoid actions that could reasonably be deemed to create a hostile work environment or make others feel uncomfortable in the office. In light of the content of some of the picture attachments, this is another reason for not forwarding the message.

14. *I am an assistant and recently took up a new position. In the past, my new supervisor has apparently asked his/her assistant to look after his/her apartment and his/her mail while (s)he is on mission. What should I do if (s)he asks me to do the same?*

Supervisors should not use their authority to obtain any personal benefits or favours from their subordinates. While it is possible that your supervisor's former assistant took care of this because they happened to be friends or neighbors, you are not under an obligation to do the same and you may politely point this out to your supervisor. If this leads to any problems, you may wish to raise the matter with your two-up supervisor or your Human Resources Advisor.

15. *I recently made a joke about the physical appearance of a colleague of mine which I thought was very funny. However, I found out later that the person felt offended. What should I do?*

You should be aware that statements that are not intended to be offensive may still be perceived as such by the person at the receiving end, and you should avoid behaviour that could reasonably be deemed to create a hostile work environment or make others feel uncomfortable in the office. Therefore, you should exercise greater caution in the future when making comments about your colleagues, even if your intention was only to be funny.

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16. *My brother is employed in a training company. The company would like to give a presentation about its services to the competent OECD official. May I give him the name of that person?*

Yes, as long as you do nothing to influence the OECD's decision to retain the services of such company, since there would be a conflict of interest in dealing with such matters. Accordingly, you should inform the respective OECD official thereafter of this relationship and clarify that it should not be seen as an interference in the Organisation decision-making process. In any case, you should refrain from doing anything that could have an impact on the person's decision.

17. *I am an IT specialist within the Organisation. I hold 5% of the shares in a privately held IT start-up company that was set up last year. May I arrange for the CEO of that company to have a meeting with my colleagues to make a presentation on the start-up company?*

No. You have a financial interest in this company and this would therefore amount to a potential conflict of interest.

18. *I own a few shares in a large publicly traded company and I am currently negotiating a service-provider contract for the Organisation with that company. Do I need to recuse myself?*

No. A small investment interest in a large publicly trading company is not deemed to create a conflict of interest. This is an exception from the general rule according to which you should recuse yourself if you are responsible for negotiating procurement with a company with which you have a financial interest.

19. *My appointment with the Organisation comes to an end shortly. I have accepted an offer by a private think-tank to deal with issues similar to those that I am currently working on at the OECD. Are there any precautions that I need to take?*

You should avoid any conflict of interest or appearance of conflict of interest. In particular, you should not work on any task that could create a conflict of interest or the appearance thereof between the Organisation and your future employer, and you should talk to your direct supervisor if you have any doubts. In addition, you should bear in mind that your obligation not to disclose any confidential information you have acquired in connection with your work for the Organisation continues to exist after you leave the Organisation.

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20. *In the framework of a project study I am leading, I need consultancy services for a very technical aspect of the study, which I need to be completed quickly. I know a consultancy company that I very much trust, since I have worked with them in the past. May I proceed to issue a contract without any tendering process so they can start immediately?*

You should carefully manage the Organisation's resources for which you are responsible and therefore comply with the procurement procedures set out in the Organisation's Financial Regulations and Instructions (available on the intranet site of EXD/PBF), since they are based on what the Organisation considers necessary for the careful management of its resources. Therefore, if the contract sum is above the respective thresholds set out in the Organisation's Financial Regulations and Instructions, you will have to initiate either a price comparison or a tendering process, as required. Even if the contract sum is below the applicable thresholds, you should consider what is in the best interest of carefully managing the Organisation's resources.

21. *My nephew recently graduated. He applied for a position of assistant to a colleague of mine who works in another Directorate. I found out that he was short-listed. May I discuss this with my colleague to support my nephew's application?*

No. You should not do anything that could influence or could be perceived as influencing the decision making process, because there is a conflict of interest.

## External activities

22. *I have been invited by a French University to teach a course on economics, for which I will be paid a sum of 1000€. May I accept it? If yes, under what conditions?*

You should seek the prior authorisation from the Head of Human Resource Management before accepting, except if you intend to donate this remuneration to the Organisation to fund activities in your Directorate or to a charity recognised by the Organisation – in which case you only need to seek the views of your Director on the appropriateness of the activity. As a matter of principle, this activity should be carried out outside normal working hours, unless your Director otherwise agrees.

23. *May I publicly support a particular political candidate for elected office?*

In principle, such support is permissible as long as it is compatible with your general obligations as an OECD official, in particular your obligation of tact and discretion and your obligation to refrain from any act which may harm the reputation of the Organisation. Consequently, common sense and good



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judgment are required. In particular, you should consider the importance of the office the candidate is running for, your level of visibility within the Organisation and the level of publicity that may be given to your support.

24. *May I participate in a lawful demonstration against a policy of my national government that is not directly related to the work of OECD?*

Yes, provided that you participate without your connection with the OECD being identifiable.

25. *I am an expert in the energy field. I have been asked to sit pro bono, without any remuneration, on the Board of a major think-tank involved in the combat against climate change. Can I accept?*

You should refer the matter to your Director, who will assess the compatibility of this activity with your obligations as OECD staff. However, it would not be acceptable a priori, as you are required to refrain from playing an active or prominent role in a non-governmental organisation which may seek to influence public policy debates within the Organisation.

26. *I was approached by a political party to be a candidate for an election. May I accept the offer?*

As a matter of principle, staff should refrain from seeking or holding public office. However, the Secretary-General may authorise staff to do so. In practice, authorisation will not be granted for elections beyond the local level. For local elections, before accepting to be on an electoral list, you have to seek the prior approval of the Organisation, by addressing a written request to the Head of Human Resource Management who will let you know if you may accept the proposal and if so under what conditions. You should be aware that if you are elected to a local council or board, you will not be allowed to perform executive functions such as mayor or deputy mayor.

27. *I was informed by my national authorities that they would like to award me an honorary distinction in respect of my services for the OECD. What should I do?*

In accordance with the principle of independence and impartiality of international civil servants vis-à-vis any Member country or any other source external to the Organisation and because of the international character of your functions, you may not accept any honorary distinction (Honours, Decoration, etc.) in respect of your services for the Organisation unless you have been specifically authorised to do so. Consequently, should you be contacted in such a context, you should seek the prior approval of the Organisation, by addressing a written request to the Head of Human Resource Management.

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28. *I am writing a novel during my evenings and week-ends. What are the rules applicable to OECD staff with regard to publications in general?*

Publications giving rise to copyright – regardless of their subject - are considered a remunerated outside activity and the general principles set out in that context apply, i.e. they require the prior authorisation by the Head of Human Resource Management. As a general rule, authorisation for publications the content of which has no links with your official functions or the OECD in general will be granted to the extent that the publications are prepared outside your working hours and are compatible with your general obligations as an OECD official, in particular your obligations of tact and discretion and confidentiality.

29. *I am a tax specialist and I am writing a tax manual during my evenings and week-ends. Are there any additional requirements that I need to be aware of?*

Yes. Since the OECD's mandate includes tax matters, the rules on public statement concerning the OECD will apply, in addition to the rules concerning remunerated outside activities. Assuming that the tax manual you are preparing will touch upon areas in respect of which you have clearly allocated responsibility, you should provide your supervisor with a draft for his review and (s)he will let you know whether the publication of the draft is acceptable. If the statement is authorised, you will have to make clear that it does not necessarily represent the views of the Organisation.

## Reporting of misconduct

30. *I have reported to my Human Resources Adviser what I consider to be personal harassment against me and I have not been informed that any action has been taken to remedy the situation? What should I do?*

Personal harassment can be subtle and very difficult to discern. It implies a repeated behaviour or pattern of behaviour that is reasonably regarded as aimed at creating a hostile work environment. It should be distinguished from other types of behaviour that may be detrimental to another individual's working conditions, but that are manifestly unintentional or are attributable solely to poor management skills. Your Human Resources Adviser is one of the persons you may approach to discuss the situation. Other people may also be consulted. They are listed in Annex XX of the Staff Regulations, Rules and Instructions applicable to OECD officials which sets out the Organisation's policy to prevent and combat harassment, preventing and dealing with harassment at the OECD.

Your Human Resources Adviser will explain to you the difference between an informal procedure and an enquiry. If you agree, your Human Resources

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Adviser will discuss with the parties involved and try to resolve the situation on an informal basis. This should be done promptly.

If, in your opinion, the matter cannot be or has been not resolved informally or sufficiently quickly, you may raise the issue with your Human Resources Adviser and refer the matter thereafter to the Head of Human Resource Management, in view of a more formal treatment- implying, possibly, an enquiry. You should be aware, however, that this requires an action from you, i.e. a written request from you outlining your complaint. The request should state your readiness to co-operate in the enquiry which may follow.

For further information on the Organisation's policy to prevent and combat harassment, preventing and dealing with harassment at the OECD and the procedures laid down in this context, please refer to Annex XX of the Staff Regulations, Rules and Instructions applicable to OECD officials.

31. *I have reported misconduct (other than harassment) against me to my supervisor and I have not been informed that any action has been taken to remedy the situation? What should I do?*

You may raise the issue with your two-up supervisor. You may also inform your Human Resources Adviser. However, you must be aware that when a disciplinary situation arises and the official's superior considers that the gravity of the official's misconduct does not require formal disciplinary action, he will discuss the matter with the official, first to help the official mend the situation, and second to give due warning that failure to mend the situation will lead to disciplinary action. If you consider that the matter has not been properly addressed and requires a formal disciplinary action, you may address a written request outlining your complaint to the Head of Human Resource Management or to the Executive Director.

OECD PUBLISHING, 2 rue André-Pascal, 75775 PARIS CEDEX 16  
PRINTED IN FRANCE  
2017