**Eligibility for International Benefits and Entitlements and determination of official UN Nationality**

1. In accordance with Staff Rule 4.3 (a), UNDP shall not recognize more than one nationality for each staff member.
2. Where a staff member holds more than one nationality, UNDP shall determine the nationality of the state with which the staff member is, in the opinion of the Administrator, most closely associated. The determination made by UNDP is not a judgment as to a staff member’s personal identification or sentiment, but rather an assessment of objective factors in the determination of a nationality for the purpose of ensuring consistent application of international benefits and entitlement in accordance with the purposes for which they were created.
3. When determining or reviewing a staff member’s recognized nationality for official purposes, UNDP will consider all the relevant circumstances that indicate the nationality with which a staff member is objectively linked, including which nationality was most recently acquired by the staff member.
4. The recognized nationality or place of permanent residency, as relevant, will be used to determine the staff member’s eligibility for international benefits and entitlements and their place of home leave, in accordance with UNDP’s [Home leave policy](https://popp.undp.org/node/10901).
5. A review of a staff member’s recognized nationality may be conducted by UNDP at any time, including to ensure consistency with UNDP’s benefits and entitlements framework or as a result of changes mandated by a governing body. The acquisition of permanent residency or another nationality subsequent to being appointed as a staff member by UNDP may trigger a review of a staff member’s status, including their recognized official UN nationality and place of home leave.
6. A staff member who intends to acquire permanent residence status in any country other than that of their nationality or who intends to change or obtain an additional nationality must notify UNDP of that intention before the change or addition comes into effect.
7. Eligibility for international benefits and entitlements for staff members in posts subject to international recruitment (Staff Rule 4.5)
	1. Depending on their type of appointment, the allowances and benefits available to internationally recruited staff members, may include: payment of travel expenses upon initial appointment and on separation for themselves and their spouses and dependent children; relocation shipment; home leave; education grant; and repatriation grant.
	2. Staff members recruited locally at a duty station for posts in the Professional and higher categories at that specific duty station are considered internationally recruited but are not entitled to the allowances and benefits mentioned in paragraph (a) above, if the staff member is serving in the country of recognized nationality or of home leave.
	3. A staff member who has changed their residential status in such a way that they may, in the opinion of the Administrator, be deemed to be a permanent resident of any country other than that of their recognized UN official nationality, or acquires another nationality while employed by UNDP, shall lose entitlement to home leave, education grant, repatriation grant and payment of travel expenses upon separation for the staff member and their spouse and dependent children, and relocation shipment, based upon place of home leave. In such cases, it is considered that the continuation of such entitlements would be contrary to the purposes for which the allowance or benefit was created and will therefore be discontinued.
8. UNDP applies section 5 of the UN’s administrative instruction ([ST/AI/2001/19](https://hr.un.org/sites/hr.un.org/files/1/documents_sources-english/09_administrative_instructions/2000/ai__2000-_19_____%5Bvisa_status_of_non-us_staff_members%5D.doc)) which clarifies the application of Staff Rule 4.5 where a staff member obtains permanent residence in the United States while in service. Specifically:

 United States permanent resident status

5.1 Pursuant to staff rule 1.5(**c)** staff members intending to acquire permanent resident status in any country other than that of their nationality or who intend to change their nationality must notify the Secretary-General of that intention before the change in resident status or in nationality becomes final. Such staff members should inform [GSSU-Copenhagen] in writing prior to making their application for permanent resident status or naturalization, as the case may be.

5.2 In accordance with United States law, a permanent resident of the United States who is a United Nations staff member may not continue to hold permanent resident status unless within a period of 10 days she or he signs a waiver of the rights, privileges, exemptions and immunities which would accrue to him or her as a staff member of the United Nations.

5.3 Before they become United States permanent residents, staff members shall be required by the United States Immigration and Naturalization Service to sign the waiver of rights, privileges, exemptions and immunities referred to in section 5.2 above. Such staff members must first request permission to sign the waiver. If such permission is granted and an alien registration card is issued to the staff member, she or he must take it to [GSSU-Copenhagen] to be recorded. Such staff members must also inform the office as soon as possible in writing of the date of the signature of the waiver.

5.4 The signing of the waiver by staff members who are already in permanent resident status or acquired it after entry on duty places them in a position of parity with staff members of United States nationality with respect to their United Nations status. While such staff members retain full functional immunities for actions taken in the course of official business, they are otherwise subject to United States laws, including those regarding taxation, payment of customs duties, etc. These staff members become liable for payment of United States taxes on emoluments earned from the United Nations as of the date of the signing of the waiver. Such taxes are subject to reimbursement to staff who have been authorized to sign the waiver pursuant to [staff regulation 3.3](file:///C%3A/Users/james.hanneman/Documents/03%20STAFF%20REGULATIONS/sreg%20%203-3%20%20%20%20%20%20%5BStaff%20assessment%5D.doc) (f) and the tax reimbursement administrative instruction.\* [[ST/AI/1998/1](file://STREETTALK/SHARED%20FILES%40DC01%40UNHQ/OHRM-HANDBOOK/DEVL/SOURCE%20DOCUMENTS/09%20ADMINISTRATIVE%20INSTRUCTIONS/1998/AI%20%201998-%201%20%20%20%20%20%20%5BINCOME%20TAXES%5D.DOC)]

5.5 Staff members who sign the waiver in order to acquire permanent resident status lose any entitlements they would otherwise have had to international benefits under the Staff Rules by virtue of serving at a duty station outside the country of their nationality (i.e., home leave, education grant, repatriation grant), but only from the date on which they are granted permanent resident status as shown on their alien registration card and not from the date on which they sign the waiver.

5.6 Subject to this section, staff members who have permanent resident status in the United States are required to renounce such status and to change to G-4 visa status upon appointment and staff members who seek to change to permanent resident status will not be granted permission to sign the waiver of rights, privileges, exemptions and immunities required by the United States Government for the acquisition or retention of permanent resident status.

5.7 The rule in section 5.6 above does not apply to the following:

 (a) Stateless persons;

 (b) Newly appointed staff members who have applied for citizenship by naturalization, when such citizenship will be granted imminently;

 (c) General Service and related categories staff previously authorized to retain permanent resident status, on promotion to the Professional category;

 (d) Staff members in the General Service and related categories;

 (e) Staff members appointed to serve outside the United States under [a temporary appointment];

 (f) Staff members appointed for less than one year; however if their appointments are extended beyond one year, that extension is subject to obtaining a G-4 visa.

5.8 Locally recruited staff members in the General Service and related categories holding permanent resident status in the United States at the time of appointment and wishing to retain this status must produce their alien registration card to [GSSU-Copenhagen] on the day they report for duty.

5.9 Locally recruited staff members in the General Service and related categories seeking to acquire permanent resident status after appointment must advise [GSSU-Copenhagen] in writing prior to making their application.

1. This policy will remain in force until amended or revoked by UNDP.