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PERSONNEL QUESTIONS

Report submitted by the Staff Unions and Associations of the
United Nations Secretariat

Note by the Secretary-General

The Secretary-General transmits herewith for consideration by the Fifth Committee a document submitted by the Staff Unions and Associations of the United Nations Secretariat. This document has been presented pursuant to the provisions of paragraph 2 (a) of General Assembly resolution 35/213 of 17 December 1980, whereby the General Assembly reiterated its readiness "To receive and consider fully the views of the staff as set out by a single recognized representative of the staff of the United Nations Secretariat in a document submitted through the Secretary-General under the agenda item entitled "Personnel questions".

CONTENTS

	<u>Page</u>
SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS	3
INTRODUCTION.	8
I. SECURITY AND INDEPENDENCE OF THE INTERNATIONAL CIVIL SERVICE	8
A. Political interference	8
B. Arrest and detention of staff members	9
C. Physical security and protection of staff serving in dangerous duty stations	10
II. STAFF/MANAGEMENT RELATIONS IN THE SECRETARIAT.	13
A. Current status of staff/management relations	13
B. Principles for reform of staff/management relations in the Secretariat	14
III. CONDITIONS OF EMPLOYMENT OF THE STAFF	14
A. Unified personnel structure	14
B. Staff assessment for locally recruited categories of staff	15
C. Competitive examinations	18
D. Education grant equalization	23
E. Transfer and assignment within the Secretariat	27
F. Career development	31
G. Professional development in the Secretariat	35
IV. CONCLUSION	38

SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS*

I. SECURITY AND INDEPENDENCE OF THE INTERNATIONAL CIVIL SERVICE

A. Political interference

The recommendations of the Joint Inspection Unit (JIU), in its report on geographical balance in the Secretariat (JIU/REP/81/10) should be rejected. Adoption of this report will accentuate the trend to political appointments and governmental interference in the internal operations of the Secretariat.

B. Arrest and detention of staff members

Diplomatic immunity (but not privileges) should be accorded to all categories of staff who work in the service of the United Nations.

C. Physical security and protection of staff serving in dangerous duty stations

1. Existing United Nations security arrangements are inadequate because they have not been developed to meet the exigencies of a long-term state of insecurity resulting from internal political instability and attrition type military conflicts.
2. Offices of the United Nations in security risk duty stations should be located in areas known to enjoy reasonable security.
3. Special rental subsidies should be considered where housing in relatively safe areas is scarce and expensive.
4. Prompt processing of compensation claims for property losses should be introduced at Headquarters.
5. Special assistance and consideration should be given to transfer staff members who are unable to cope with the stress of a dangerous duty station.
6. Staff members recruited to service in duty stations with high risks should be fully informed of the dangers in advance and of their entitlements in cases of injury, death or loss of property.
7. Rotation and mobility of staff serving in difficult and dangerous duty stations should be ensured.

* This summary is not necessarily all inclusive, and additional conclusions and recommendations are contained in the corresponding sections of the report proper.

II. STAFF/MANAGEMENT RELATIONS IN THE SECRETARIAT

A fundamental reorientation of staff/management relations is required to bring United Nations practice into line with the accepted international standards for the public service as defined by the International Labour Organisation (ILO). Principles for the reform of staff/management relations are suggested in the body of the report.

III. CONDITIONS OF EMPLOYMENT OF THE STAFF

A. Unified personnel structure

It is recommended that the question of establishing a unified personnel structure be referred by the Fifth Committee to the International Civil Service Commission (ICSC) for study in consultation with staff representatives at the various duty stations.

B. Staff assessment for locally recruited categories of staff

1. The new staff assessment rates, which decrease the pensionable remuneration of General Service employees and change the net income replacement value of pensions, violate the acquired rights of staff members who have relied upon staff regulation 3.3.
2. The United Nations and its subsidiary organs did not consult adequately with staff representatives in developing the new staff assessment rates.
3. Some of the specialized agencies, such as ILO, have refused to implement the new rates, calling into question the validity of the common system and the role of ICSC as a co-ordinating body.
4. The General Assembly is requested to rescind the new rates and to send the entire matter back to ICSC for further study with a view to maintaining a uniform staff assessment plan fair to all categories.

C. Competitive examinations

1. No one on the staff side is pleased with the way the results of the 1979 examination have been implemented. There are cases where departments and offices have refused to co-operate with the examination and to implement the results.
2. No thorough-going review of the 1979 examination experience was undertaken as a basis for improving the 1981 exercise. The New York Staff Union did, however, circulate a questionnaire to all staff, soliciting their views on the 1979 experience. Proposals for improving the examination are outlined below in Section III C.

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3. No examination was held in 1980; nor were any posts made available for examination.
4. The 1981 examination has been administered in a slow and cumbersome manner. No results are expected before mid-November 1981.
5. The future of the examination system and the career prospects of the General Service staff should be closely monitored because of what seems to be an emerging trend to decrease the number of posts available at the P-1/P-2 level and to recruit more staff from outside at the middle and higher levels.
6. The quota of available posts at the P-1/P-2 level should be increased from 30 per cent to 50 per cent, if not abolished altogether.
7. The use of the special post allowance should be carefully monitored to prevent abuse.

D. Education grant equalization

A close look at the purpose of the education grant in light of current reality will demonstrate that the grounds for not including all staff are no longer valid. We therefore propose that the education grant be extended to all categories of staff.

E. Transfer and assignment within the Secretariat

1. Clear guidelines outlining the principles and procedures for internal transfer and other staff movements, including transfers from non-geographical to geographical posts, should be established.
2. Internal vacancies for General Service and related category jobs should be widely publicized within the Secretariat.
3. Departments and offices should facilitate rather than impede the process of transfer and reassignment.
4. The Office of Personnel Services should be strengthened by additional staff resources so that it can deal more effectively with transfer requests.

F. Career development

1. While supporting the concept of geographical distribution as fundamental to a truly international civil service, the staff categorically reject the recommendations of the Joint Inspection Unit (JIU/REP/81/10) as inimical to an independent and impartial career service as called for by Article 100 and 101 of the Charter of the United Nations.

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2. The General Assembly is urged to take all necessary measures to reinforce the career concept by advancing specific ideas and programmes that will steadily improve the ratio between fixed-term and career appointments in favour of the latter.
3. The problem of geographical balance can only be solved with a strong and effective recruitment programme which to now has not existed in the Secretariat.
4. Regulation 4.4 should be observed in both letter and spirit and full consideration given to appropriately qualified internal candidates before outside recruitment is started.
5. Appointments at the D-2 level should come before the Appointment and Promotion Board for review.
6. A comprehensive career and staff resources planning function should be established, embodying recruitment, job classification, training and promotion as interrelated aspects of an integrated personnel policy.
7. Job classification should be flexible enough to allow for changing organizational patterns and programmes and legitimate expectations of upward mobility. Promotion based on merit should be embodied in the scheme and the concept of linked grades seriously considered.
8. The provision of adequate training facilities is beneficial to both the Organization and the staff. The improvement or acquisition of new skills beneficial to the Organization must be appropriately rewarded.
9. The granting of study leave, paid or unpaid, should be handled on a more flexible and pragmatic basis.
10. The performance evaluation system in the Secretariat needs to be improved and updated to assist in the career development of staff members.
11. Affirmative action must be taken to correct the prejudicial and discriminatory practices women have suffered in appointment and promotion.

G. Professional development in the Secretariat

1. While continuing to recognize the necessity of the Organization's exclusive proprietary rights over publications produced under its auspices, the current authorship practices are unduly restrictive with regard to attributions and original contributions, and should be relaxed.

2. Administrative instructions should be made less restrictive with respect to outside activities of United Nations staff members which are non-recurring and non-continuous and which are unrelated to the purpose, activities or interests of the United Nations.
3. Current mechanisms for the temporary loan or long-term transfer of staff within the United Nations appear to discourage horizontal mobility and thereby impede over-all professional development. Greater flexibility should be allowed for exchanging posts or accepting temporary assignments.
4. There should be created within or outside the United Nations opportunities for Professional staff to obtain the additional high-quality training and education required to guarantee superior job performance.
5. Greater participation and involvement in work could be facilitated by a more systematic approach to staff consultation and orientation, particularly through a better understanding of one's work as it relates to the over-all objectives of a department or office.

INTRODUCTION

1. The present report is submitted to the Fifth Committee pursuant to General Assembly resolution 34/220. This is the second such report to be submitted by the Staff Unions and Associations of the United Nations Secretariat. 1/ The report does not cover the same ground as the first report even though one or two chapter headings remain the same. We have tried to focus on those subjects related to personnel questions which have a direct bearing on staff morale and performance as well as the effectiveness of the Secretariat. To facilitate an over-all appreciation of the report, the principal conclusions and recommendations are outlined in a summary at the beginning of the report.

2. In conformity with General Assembly resolution 35/213, we will designate a single recognized representative of the staff to make an oral presentation to the Fifth Committee to introduce the report, should we be invited to do so. We believe that such an oral presentation will ensure a better understanding of the report and make it possible to highlight some of the more salient points.

I. SECURITY AND INDEPENDENCE OF THE INTERNATIONAL CIVIL SERVICE

A. Political interference

3. It would be no exaggeration to say that the United Nations Secretariat is undergoing a crisis of identity and purpose. This crisis has been precipitated, to a great extent, by the accelerating politicization of the management of the Secretariat - to the point where it is rapidly being transformed from an independent, impartial civil service into a patronage system.

4. As the number of political appointees has increased, a sense of pessimism and cynicism has descended on the staff of the Secretariat. Many staff believe that the point of no return has been reached. The paramount - in some cases the only - consideration in recruiting and promoting staff appears to be political contacts. Influence, professional qualifications, proven expertise and experience seem to count for little.

5. This perception is not only destroying the credibility of the United Nations Secretariat as an impartial, independent organ, it is also having a disintegrating effect on the entire international civil service. Such politicization inevitably leads to a decline in professional standards (and, hence, the quality of service), and is one of the principal factors in the serious demoralization of United Nations staff. Increasingly, the higher-level posts go to diplomats and their contacts, to the detriment of serving staff and in disregard of staff regulation 4.4.

1/ This report has been prepared and endorsed by the Staff Unions and Associations of the following organizations and duty stations: United Nations Headquarters, United Nations Office at Geneva, UNIDO (Vienna), Habitat (Nairobi), ECA (Addis Ababa), ECLA (Santiago), ESCAP (Bangkok), ECWA (Beirut), and the peace-keeping missions. UNEP (Nairobi) was represented by Habitat.

6. Nine thousand staff in the General Service and related categories are forced to compete for approximately 30 Professional posts each year because a quota system has been imposed upon them by the Member States. No matter how deserving "inside" staff may be, it appears to many that even the lip service once paid to career development inside the Organization has been abandoned to expedience and political pressure.

7. In his annual report to the General Assembly in 1978, Secretary-General Waldheim pointed out that "no civil service can hope long to survive if it fails to compensate adequately, through reasonable career prospects, for those of its staff who have served it for long periods, conscientiously and with dedication".

8. For this reason, the staff of the United Nations Secretariat wish to draw the attention of Member States to the serious implications of further interference in the Secretariat. The staff plan, in the coming year, to monitor instances of political appointments as vigilantly as possible. We propose to contest them with the appropriate officials in the administration, as well as with the Secretary-General himself, and to keep the Fifth Committee informed of such cases.

9. In this context, we are particularly alarmed at the recommendations of the Joint Inspection Unit (JIU/REP/81/10) which, if adopted, will destroy the independence of the international civil service. The risk to the United Nations of increased numbers of fixed-term appointments and governmental nominees was clearly pointed out by Dag Hammarskjöld in 1961, when he said:

"National pressure on the international official may also be introduced, in a somewhat more subtle way, by the terms and duration of his appointment. A national official seconded by his government for a year or two with an international organization is evidently in a different position psychologically - and ... politically - from the permanent international civil servant who does not contemplate a subsequent career with his national government." 2/

B. Arrest and detention of staff members

10. There are five outstanding cases of staff members arrested and detained by Member States. In none of these cases was the United Nations allowed to: (a) pay an official visit and converse with the staff member, (b) undertake a medical examination, (c) be apprised of the grounds for the arrest or detention, including the main facts and formal charges, (d) assist the staff member in arranging legal counsel for his/her defence or (e) appear at any legal proceedings that took place. The above provisions constitute the officially recognized "minimal initial requests required in order for the United Nations to safeguard and maintain its interests and legal rights".

2/ From a speech given at Oxford University, 30 May 1961.

11. Other cases have involved staff members who either disappeared or died under questionable circumstances.

12. The staff of the United Nations wish to propose, for consideration by the General Assembly, the extension of diplomatic immunity (but not privileges) to all categories of staff who work in the service of the United Nations. When all diplomatic personnel, no matter how junior, are automatically given diplomatic immunity, it is appropriate that the same provisions should apply to United Nations staff whose conditions of work are in many respects analogous to those of diplomatic personnel, in that their work is international in character and that they may be assigned to almost any part of the world.

13. At present diplomatic immunity is accorded by the United Nations Convention on the Privileges and Immunities only to staff at the Assistant Secretary-General level and above, and to experts on mission. In practice, however, a number of Governments have extended diplomatic immunity to additional groups of United Nations staff. In Switzerland and Austria, for example, it is extended to all staff members at the P-5 level and above. In other countries all representatives of an organization (for example, UNHCR), whatever their grade, are granted diplomatic immunity. The staff of the United Nations, therefore, wish to propose for serious consideration by the General Assembly the granting of diplomatic immunity to all staff, regardless of category. The staff wish to emphasize, in making this proposal, that they do not ask that diplomatic privileges be extended to them, only diplomatic immunity, since the functional immunity that is granted them by the aforementioned Convention has proved completely ineffective in protecting staff from personal arrest.

14. The staff propose that an additional protocol be appended to the Convention, affording all staff diplomatic immunity. In the interim, we appeal to individual Member States to extend this immunity to all United Nations staff working in their countries by means of the headquarters agreements which they sign with the United Nations.

C. Physical security and protection of staff serving in dangerous duty stations

15. Over the last decade the world community has witnessed an alarming growth of security crises in many of the countries where international personnel and dependents are assigned by the Secretary-General to serve the United Nations. A recent UNDP survey has revealed that some 20 countries currently present a relatively high degree of security risk to personnel in United Nations system development activities. A further 30 countries pose a moderate or potential security risk sufficient to justify the adoption of limited precautionary measure.

16. The type of security crises and emergencies witnessed in the 1970s ranged from war and revolution to internal armed civil conflicts, leading, in some instances, to chaos and complete collapse of the central authority. As a result, hundreds of cases of robbery, assault, rape, murder or kidnapping have been experienced by

United Nations personnel and members of their families. Furthermore, cases of enforced occupation or destruction of official United Nations premises have occurred. It is to be expected that in the 1980s United Nations personnel will increasingly be exposed to security hazards.

17. This state of affairs puts the United Nations system in a very sensitive and difficult situation where it has to choose between reducing or limiting its activities and presence in countries presenting such risks or adapting itself to live with the crisis situation.

18. The first option is politically unacceptable since it runs counter to the basic development objectives of the United Nations. For the second option to be viable, however, requires a reconsideration of not only present security arrangements governing the protection of lives of staff and their dependents but of many aspects of the basic conditions of service and contractual status of United Nations personnel serving in dangerous or potentially dangerous duty stations, including evacuation arrangements and compensation for losses and damage to property.

Crisis management under present arrangements

19. In spite of the concern over security matters repeatedly expressed in recent years by the United Nations and its specialized agencies in various forums (e.g., ACC, CCAQ, ICSC, FICSA and the Staff Councils), the ability of the system to cope with the problem countries remains, at best, far from satisfactory. The security manuals and plans which have been drawn up have proved to be generally non-operational and of very limited use in meeting a situation arising from civil disturbances. Indeed, security arrangements in force have been so disappointing that we may seriously question whether they have any real practical application at all.

20. Apart from the inadequacies of human, financial and operational resources, we believe that the main shortcoming of the existing security arrangements is that they have been addressed to immediate security needs arising from a short-term emergency situation (war, revolution) rather than meeting the exigencies of a long-term state of insecurity resulting from internal political instability and wars of attrition which may be a permanent feature of life in a given country over an extended period. Moreover, such arrangements appear to be based on the assumption that some form of central authority exists, with the assistance of which the United Nations can put these arrangements into operation.

21. In the 1980s, as we have said, United Nations personnel and their families are likely to be more exposed to situations of permanent states of insecurity than was the case in the 1970s. The United Nations security responsibility will therefore be much greater, more diversified and complex.

Other arrangements related to security

22. The effectiveness of a security arrangement during emergencies does not depend only on their soundness or on the plans for their implementation. To fulfil their purpose and to be credible among the staff, security arrangements must be supplemented by other measures to minimize the risks and hazards to which United Nations personnel could be exposed, while ensuring prompt and adequate solutions to the problems encountered:

(a) United Nations offices in security-risk duty stations should be located in areas known to enjoy a reasonable degree of security. Until now, it has been financial considerations which have influenced their location.

(b) Housing in relatively safe areas is scarce and, therefore, expensive. The possibility of a special rental subsidy or subsidized housing should be considered. The latter would facilitate the job of the designated official in emergencies, since most of the staff would be located in a well-defined area.

(c) A system for the prompt processing of compensation claims for property losses should be introduced at the Headquarters level. At present, the Claims Board is composed of volunteers working on a part-time basis. In view of their workload, an average of one year is needed to process a claim. In the light of the increasing cases of compensation, the establishment of a unit composed of full-time staff to handle claims is more than warranted.

(d) Special assistance and consideration should be given to the transfer of staff members who are unable to deal with the stresses of a duty station with security problems.

(e) Staff members recruited to serve in security-risk areas, should be fully informed, prior to their recruitment or assignment, about the risk element and their entitlements in terms of compensation in cases of injury, death or loss of property. Failure to do this has given rise to many problems in the past.

(f) A policy aiming at ensuring constant mobility of staff working in security-risk duty stations (i.e., every two years) should be established and enforced. At present, it is extremely difficult to fill a vacancy resulting from the transfer of staff members working in a hazardous duty station. As a result, some field offices have a large number of vacancies, and staff working there are sometimes being denied transfers or are finding it extremely difficult to exchange posts with their colleagues working at Headquarters.

II. STAFF/MANAGEMENT RELATIONS IN THE SECRETARIAT

A. Current status of staff/management relations

23. At present relations between the staff and management are governed by staff regulations 8.1 and 8.2 and staff rules 108.1 and 108.2. These rules and regulations provide, among other things, for a system of consultation whereby the Secretary-General may seek the comments and views of the elected staff representatives "on questions relating to staff welfare and administration, including policy on appointments, promotions and terminations and on salaries and related allowances". Except for emergency situations, general administrative instructions and directives are to be transmitted to the respective staff committees "for consideration and comment" before being put into effect. These consultations normally take place within the context of the Joint Advisory Committee (JAC), where both staff and management are represented. In addition, the creation of the Staff/Management Co-ordinating Committee (SMCC) has introduced machinery for consultation on secretariat-wide matters. JAC and SMCC provide the Secretary-General with advice on matters which fall within the scope of the above-mentioned staff rules and regulations. The Secretary-General is free to accept or reject the advice given and is not bound by any agreements his representatives may work out with the staff representatives in the context of JAC. At a meeting on staff/management relations in 1979, the legal adviser SMCC indicated that the system of "consultation" provided for under current rules is "a process whereby the decision-maker (e.g., the Secretary-General or Executive Director) secures information from and discusses questions with staff representatives. The essence is to receive the views of the staff and to exchange views with them". The decision-maker, he pointed out, can and may strive to reach agreement with the staff representatives, "but basically the ultimate decision is his alone and he accepts the proposals of the staff representatives only if he is convinced by them that these proposals are within his discretion and constitute the most desirable solution. An undertaking or obligation to consult does not detract from his right and obligation to reach a unilateral decision".

24. There is a growing discontent at several duty stations with the system of consultation. The staff are advocating a system of negotiation, since they consider consultation to be paternalistic, outmoded and leaving too much scope for unilateral decision-making without due regard for their interests. Progress, however, in modernizing and updating the basis of staff/management relations is, at best, uneven. At some duty stations not even the minimal standard of employee participation (as represented by consultation) in setting the terms and conditions of service is observed; while at other duty stations there is growing pressure for a fundamental change in the basis of the relationship between staff and management. While at some duty stations executive heads have shown themselves receptive to the need for change and improvement, in others the state of staff/management relations is founded on a take-it-or-leave-it attitude.

25. A fundamental reorientation of staff/management relations is required, a reorientation that would bring United Nations practice into line with the accepted international standards for the public service as defined by ILO.

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B. Principles for reform of staff/management relations
in the Secretariat

26. The staff proposes that reform of staff/management relations in the Secretariat be based on the following principles:

1. Staff rules and regulations governing staff/management relations should be based on the fundamental principles contained in the Charter, the Declaration of Human Rights and all ILO Conventions. Of particular importance in this regard is ILO Convention 151 on the right to organize and determine conditions of employment in the public service.

2. Every employee has the right to join with other employees in the formation of unions and/or associations for the furtherance and protection of common interests. Orderly procedures should be established for the formal recognition by the United Nations of unions/associations so formed.

3. Negotiation is the most effective basis for relations between staff and management. Sound relations must be based on the equality of the two parties.

4. Negotiations must result in written, signed and binding agreements between employees and employer. It is no longer acceptable that executive heads should make unilateral decisions. Decisions on terms and conditions of service should result from agreements between the parties concerned arrived at through the give-and-take of bargaining and negotiation.

5. Impasse procedures must be established and available to all agencies and staff of the common system.

6. Where the United Nations provides facilities to the staff unions/associations, the unions/associations must be ensured "adequate protection against any acts of interference ... in their establishment, functioning or administration" (ILO Convention 151, art. 5).

7. Staff representatives should be given sufficient time off from regular work assignments to pursue staff matters.

III. CONDITIONS OF EMPLOYMENT OF THE STAFF

A. Unified personnel structure

27. Staff at various duty stations have expressed the need to implement a personnel structure which would eliminate the present distinctions between Professional, local and General Service staff, and abolish the discrimination which now exists in access to benefits. The objective of such unification would be to ensure that all staff, regardless of their present position or location, are treated on the basis of equality and according to uniform standards and practices. Such a system would be in closer conformity with the common beliefs expressed in the Universal Declaration of Human Rights and would follow the progressive precedent established by the World Bank.

28. We recognize, however, the complexity of any proposals for a unified personnel system. Not only would determination of salary levels be affected but also policies concerning recruitment, promotion and career development.

29. After weighing arguments for and against the single category concept, it may prove to be the most realistic solution to the many career development and morale problems faced by a large proportion of the staff. The mechanics and administrative reorganization implicit in such a wide-ranging proposal could be extensive and controversial, but the difficulties are not insurmountable; nor should they preclude a realistic and comprehensive study of the matter.

30. Since the staff do not have the resources required to undertake such a comprehensive study, we recommend that the Fifth Committee should refer the matter to ICSC, which, in consultation with staff and administration at various duty stations and drawing upon the World Bank experience, could assess the feasibility of the unified-structure concept. Such a study would be fully consonant with the ICSC statute, which, in article 9, "aims at the development of a single unified international civil service through the application of common personnel standards, methods and arrangements".

B. Staff assessment for locally recruited categories of staff

Background

31. The pension of a United Nations staff member is directly dependent upon his "pensionable remuneration" during his years of service. Pensionable remuneration for General Service staff and other locally recruited categories of staff is defined as the sum of

- (a) The gross salary of the staff member, consisting of the net base salary and the staff assessment; and
- (b) Any non-resident's allowance and language allowance payable under staff rules 103.5 and 103.6.

32. A change in any one of the components of the pensionable remuneration will affect the pension that the staff member will receive upon termination of his employment. In the present controversy, the changes in the rates of staff assessment mean that the pensionable remuneration of General Service staff members in future years will be less than it would have been under the existing rates of staff assessment. These changes, which were approved by the General Assembly in resolution 35/214, will mean, therefore, that the staff members concerned will receive lower pension payments upon conclusion of their service than they would have received under the rates existing prior to the General Assembly decision.

Changes in staff assessment rates

33. At its twelfth session, held in July-August 1980, ICSC recommended the adoption of a revised scale of staff assessment rates for General Service and other locally recruited staff members at Headquarters in New York and at other duty stations.

34. Until the recent changes, the same staff assessment rates had been in effect since 1 January 1966. Those rates were derived from income tax rates in effect in 1964 in seven countries where there are headquarters duty stations and determined on the basis of earnings expressed in US dollars. ICSC concluded that they reflected out-of-date tax rates. In addition, in converting net salaries of General Service staff into dollars in order to determine the staff assessment rate, currency fluctuations caused distortions whenever a higher or lower rate applied, merely because the dollar equivalent fluctuated.

35. The differences were due to the fact that, while Professional staff members' assessment rates had been revised, the General Service rates had remained unchanged since 1965, although tax rates and salaries had changed. Thus, income-replacement values for General Service staff members in 1965 were, on the whole, much lower.

36. ICSC considered various proposals, some in conjunction with its revision of Professional pensionable remuneration. Proposals tying staff assessment rates to local tax rates at each duty station or with best prevailing local pension benefits were rejected as impractical. Instead, ICSC decided to continue using a global staff assessment scheme, updated on the basis of current tax rates of 17 countries where United Nations offices are located.

Methodology of calculation of new rates

37. In the staff's view the new assessment rates are based on statistically unsound and erroneous methodology. The ICSC based the new rates on a weighted average of the most recent income tax rates in the seven headquarters' and 10 regional offices' countries. At low income brackets, the scale is based on the average tax rates of the 10 countries in which regional offices are located; in the middle income brackets, it is based on the average tax rates of all 17 countries; and at the higher income brackets, it is based on the average tax rates of the seven countries in which headquarters are located.

38. In weighting the various tax rates, ICSC used the number of General Service staff members in those countries. However, instead of using the actual number in each income bracket, ICSC used the total number of General Service employees at each duty station. For example, in the case of New York, the total number of General Service employees, i.e. 4,008, was used to weight the tax rate applied to each salary bracket, even though there was obviously no single salary bracket which had 4,008 employees. The staff feel that the appropriate methodology would be to weight each salary bracket by the number of staff actually being paid at that level and believe that ICSC should have done more careful work to assess the impact of those distortions.

39. The new staff assessment rates are applicable to the General Service, Security Service, Manual Workers, Guides and Dispatchers, and other locally recruited categories of staff. Current gross salaries would have been lowered as a result of the lower assessment rates, but for a transitional provision providing for a "freeze" of gross salaries at their 1 August 1980 level until future increases in net salaries cause gross salaries to rise above the existing level. Thus, gross salaries and pensionable remuneration of General Service and related staff categories are frozen and will rise much more slowly thereafter, in spite of cost-of-living increases.

40. The lasting effect of new rates will be to cause pensionable remuneration not to increase as fast as it would have done under the previous assessment rates. The new rates are approximately 8.5 per cent lower than the old rates. Therefore, monthly pension benefits, which are based on the final average remuneration, usually the gross pay of the last three years, will be decreased by significant amounts.

41. The effects of the new rates will be greatest on General Service staff in countries with high tax rates, such as the United Kingdom and the United States. This is because the new rates will cause staff assessments of staff members in high tax-rate stations, such as New York, to be significantly lower than the national taxes which the staff assessment is intended to reflect. Thus, the pensionable remuneration of New York-based General Service staff members will be lower than the gross salary (equal to pensionable remuneration) of employees of comparator local area institutions.

Gross salary	Staff assessment		Tax rates (1979/80)		
	Old rates (per cent)	New rates (per cent)	New York (per cent)	UK (per cent)	Geneva (per cent)
\$ 2,000	7.5	7.0	-	-	-
4,000	12.5	9.0	2.9	8.7	2.2
6,000	16.7	11.0	9.2	17.3	4.5
8,000	18.8	13.0	13.0	18.8	6.3
12,000	21.6	16.0	17.1	21.3	9.9
16,000	23.8	18.3	20.6	22.9	12.8
20,000	26.0	20.2	24.2	24.5	15.2
24,000	27.5	22.7	26.9	26.8	17.0
26,000	28.5	22.9	-	-	-
28,000	29.2	23.9	28.4	29.6	18.4
32,000	30.6	25.2	-	-	-
33,000	31.1	25.6	30.7	33.2	20.2
38,000	32.9	27.2	32.2	36.9	21.3
43,000	34.7	28.8	33.6	40.3	22.6

Lack of staff participation

42. It is our contention that there was no meaningful or substantive consultation with staff members or their representatives prior to or during consideration of the new assessment rates by ICSC. No Secretariat staff union/association was given a hearing either before ICSC or the Fifth Committee of the General Assembly.

Conclusions

43. First, the new staff assessment rates, which decrease the pensionable remuneration of General Service employees and change the net income replacement value of pensions, violate the acquired rights of staff members who have continued in employment in reliance upon staff regulation 3.3.

44. Second, the United Nations, and its subsidiary organs, did not consult adequately with staff representatives in developing the new staff assessment rates. Consultation with all major duty stations was particularly critical, owing to the fact that each duty station is affected differently by the new rates. The failure to consult invalidated the changes made in the assessment rates.

45. Third, some of the specialized agencies have refused to implement the new rates, thus calling into question the validity of the common system and the role of ICSC as a co-ordinating body. Why should some agencies be required to adhere to ICSC recommendations while others are not?

46. We therefore call upon the Fifth Committee to rescind these new rates and to send the entire matter back to ICSC for further study and for development of a plan that maintains a uniform staff assessment scheme for Professional and other categories alike.

C. Competitive examinations

Results of the 1979 competitive examination exercise

47. No one on the staff side has been pleased about the manner in which the results of the 1979 competitive examination have been implemented. There have been glaring instances in which particular offices and departments have simply refused to co-operate with the examination and to implement the results in accordance with the administrative instructions establishing it. In some cases staff members reporting to take up the posts for which they had successfully competed have been met with open hostility. Proper orientation and training for the new job assignments has been inadequate or non-existent. Without doubt the stresses and strains of adapting to a new and unfamiliar job situation and lack of support from supervisors and colleagues has taken its toll on more than one successful examination candidate.

48. One of the more glaring cases of failure to implement the results of the examination occurred in Geneva. The post of assistant administrative officer in the office of the Director-General had been put up for examination, but when the

successful candidate arrived to take up the post, the local administration refused to assign it to him. It had been the clear understanding of the staff representatives that departments and offices would not have veto power over the placement of successful examination candidates. Earlier, a more serious situation had developed which gave cause for widespread concern among the staff. The Office of Personnel Services (OPS), acting on a questionable decision by the Central Examination Board (CEB), refused to implement the promotions of two candidates who were successful in the competitive examination. Acting contrary to the clear instruction set out in documents ST/AI/268 and ST/SGB/173, the Central Examination Board unilaterally decided that two candidates who successfully completed all three stages of the examination did not meet "minimum professional standards". A concept which has never been defined either by CEB or by OPS. The Board thereby established a pass/fail grade in two (but only two) occupational groups. No such standard was applied to the candidates in the other five occupational groups. That was directly contrary to the concept of "competitive" examinations as set out in the various circulars and was particularly alarming to the staff, in that the concept of "minimal professional standards" was applied by the Board on an ex post facto basis. Candidates had not been informed in advance that they would have to obtain a certain rank in the specialized paper before they could be considered successful. In fact, staff took the examination on the understanding that the highest-ranked candidates (taking into account all three parts of the examination) would be successful, regardless of the scores. By establishing a pass/fail grade after the examinations were completed, when the staff had previously been informed to the contrary, CEB unilaterally violated the terms agreed upon between staff and management in JAC.

49. Due to the uproar caused by that decision, some effort was made by OPS to accommodate the two individuals concerned. It was decided that if the receiving departments were prepared to accept the candidates, one in the field of electronic data-processing (EDP) and the other in statistics, they would be given a trial period in the jobs. The candidate who was successful in the statistical post was accepted by ECA; but the EDP candidate, whose post was at Headquarters, was denied the opportunity of a trial period. That gave weight to suspicions that the original rejection of the candidate had been motivated by those who did not want the staff member in the department in the first place. The veto power that departments appear to have over the results of the examination is particularly regrettable in that it was precisely such subjective evaluation the examination was designed to eliminate. The one remaining candidate who was denied his rightful post will now have to pursue his case before the Joint Appeals Board and, if necessary, the Administrative Tribunal.

50. In short, the results of the 1979 examination were not implemented in the spirit in which it had been established; as a consequence, many of the successful candidates were treated in a manner that was less than fair.

1980 examination

51. No examination was held in 1980; nor were any posts made available for examination.

1981 examination

52. It had been agreed in SMCC, meeting in Vienna in September 1980, that a thorough review of the 1979 examination exercise would be completed before the 1981 examination was prepared and administered, the idea being to avoid the mistakes made in 1979. An SMCC Working Group was convened for the purpose for one week in late October 1980.

53. From the outset of the SMCC talks, it was clear that the position of the staff side was not being taken seriously by the administration. Nearly every point introduced by the staff was either rebuffed as being impractical or, when certain terms were agreed upon by the administration, for example in connexion with furnishing information and statistics resulting from the 1979 examination, the information could not be made available until well after the expiry of the Working Group's allotted time for deliberation. While the staff side felt that all aspects of the examination should be reviewed, including the validity and reliability of the questions used to determine professional competence, the administration took the position that the SMCC Working Group (in which it was represented) was neither competent nor qualified to undertake a technical review of the examination papers. The administration would not accept a joint review of the content of the examination. Therefore, the most important subject of all - the relevance of questions - was automatically excluded from the review. As it turned out, the questions for the second examination had already been prepared and were ready to go to press at the very time that the Working Group was meeting; hence, any serious change in the format and content was impossible. The staff were, in fact, being asked to rubber-stamp the entire administration package on the assumption that nearly everything was done correctly the first time and that there was no real need for any major adjustments. In fact, the few changes which were suggested by the administration were designed more to ease their own administrative task than to improve the over-all quality of the exercise. One example was their suggestion that the number of occupational groups in future examinations be restricted to four and that a limit be placed on the number of examinations for which any staff member could sit.

54. The only major change in the examination procedure which emerged from that review of the first examination experience was the codification of the concept of "minimal professional standards", without, however, establishing any criteria for defining them. In fact, the administrative instruction on the subject states: "taking into account the level of difficulty of the examination as a whole, the specialized boards may make recommendations as to the level above which the candidates will be considered to be qualified to perform at the junior Professional level".

55. The Staff Union in New York undertook to circulate a questionnaire to staff at Headquarters, the results of which are contained in Staff Council bulletin SCB/596 which was circulated to most delegations through the regular documents distribution system. Some of the findings and recommendations from that questionnaire are as follows:

1. Eligibility requirements, specifically education and length of service factors, were handled quite fairly in the first two exercises. The staff responding to the questionnaire felt that service with a specialized agency should be included in the minimum five-year service period; this is in line with the CEB recommendation. A continuation of the education requirement seems to be in order, with perhaps more weight being given to successfully completed drafting courses. Well-performing staff should be encouraged and given the opportunity to follow university-level courses under an expanded career development programme, thereby enhancing their qualifications and chances in the examinations.

2. Minimum professional standards should be more closely studied, the establishment of clearly defined standards being the subject of joint agreement, bearing in mind junior Professional requirements in the various occupational groups. Any exceptional cases should be referred to a joint body for solution and not decided upon unilaterally.

3. The language of the examinations should be closely monitored for each examination to ensure that no group of staff is being discriminated against. If, for example, an agreed number of staff express the wish to be examined in an official language other than English or French, they should be given that opportunity.

4. Occupational grouping should be looked into with great care. There was some improvement in the 1981 examination, but a major effort is required in establishing the groups and subgroups on a long-term basis. This would have to be combined with a classification exercise.

5. With regard to the membership of the boards, it is recommended that some continuity be guaranteed. A possible method is a two-year staggered term, so that there will always be experienced members available. This would not be possible, of course, where an occupational group does not appear in a particular examination, but some form of continuity on CEB and the specialized boards should be attempted wherever possible.

6. The role of the specialized boards should be expanded. They should be given increased responsibility in the establishment of the content of a particular examination, together with the outline of answers expected. They should also ascertain adherence to the rankings established through their work.

7. The influence of the Training and Examinations Service on the work of the boards should be reduced. Despite complaints from many of the boards and recommendations from CEB and staff representatives, that Service still exercises undue control over the boards.

8. The bodies which are responsible for establishing the terms and procedures for the examinations, whether they be JAC or SMCC, or a combination of both, should have a much closer relationship with CEB and the specialized boards than has been the case in the past. In this way, misunderstandings can be avoided and problems jointly discussed and resolved. It is illogical to make the Office of Personnel Services a clearing-house for all communication between the two groups. Many of the problems which arose early in the first exercise, and which still fester, could have been cured by direct communication.

9. The whole concept of the examination requires close scrutiny. It is clear from the various reports which have been written and from the staff questionnaire that other elements should be given consideration. In this connexion, advice can be sought from various outside agencies, and a survey of other competitive systems can be made to determine which combination would be best suited to the United Nations.

10. The establishment of some training programme is recommended. It could be started in relation to the core portion of the examination and later expanded to include the specialized groups. In order to make it an equitable system, the courses could be video taped for showing at all duty stations.

11. The ranking procedure should be standardized and clarified. Some members of the specialized boards finished their work without the knowledge of who the successful candidates would be, their efforts being pre-empted by other groups. Others stated that they rightly had a hand in the ranking exercise till the end.

12. The implementation procedure, which has never been open to real negotiation, and which received very little frank discussion or honest consultation, was by far the most chaotic aspect of the 1979 examination and did not improve in the second exercise. The implementation stage needs improving. It should include a published report on the results of the first examination, showing the names of the successful candidates and the posts to which they have been assigned.

13. A study of ways of making selection of posts by the candidates a more orderly process should be carried out. Candidates should have an opportunity to "shop" before making their selections, perhaps through informal gatherings where they and members of the recipient offices would be able to evaluate each other. In any case, some machinery for avoiding and correcting mistakes in this aspect of the examination procedure should be a high priority.

Future examinations

56. The future of the examination system and the career prospects of the General Service staff are seriously in question. One reason seems to be an emerging trend towards decreasing the number of posts available at the P-1 and P-2 levels, by upgrading them in order to recruit more external candidates at middle and higher levels. The net result will be to reduce effectively the number of P-1 and P-2 posts to be made available for the examination and eventually to block any movement from the General Service to the Professional category. Data in the Secretary-General's report on the composition of the Secretariat clearly indicate a tendency

to recruit more staff at the middle and higher levels. Statistics also show that there were fewer appointments at the P-1 and P-2 levels in 1980 than in 1979. Hence, urgent steps must be taken not only to remove the 30 per cent quota of P-1 and P-2 posts to be made available for the examination but to ensure that P-1 and P-2 posts remain available. Attempts by departments to "hide" posts or to reclassify them at higher levels should be carefully monitored.

57. Another means apparently being used to circumvent the examination in the short run is the use of the special post allowance (SPA). This is being used to favour potential candidates who are given an assignment at the Professional level in order to learn a specific job before the post is actually put up for examination. This gives an advantage to the holder of SPA.

D. Education grant equalization

58. The staff can be broken down into five groups based on recruitment status and nationality in relation to duty station:

1. Professional staff - internationally recruited expatriates, non-nationals;
2. Professional staff - internationally recruited nationals (who do not receive all international benefits, such as home leave and education grant);
3. General Service - internationally recruited, usually expatriates (who receive all international benefits);
4. General Service - locally recruited nationals (who receive no international benefits);
5. General Service - locally recruited expatriates, non-nationals (who have G-4 visa status but receive no international benefits).

59. Under staff regulation 3.2 and staff rule 103.20, only groups 1 and 3 above receive the education grant. The vast majority of staff does not. This creates obvious discrimination and inequality of treatment among the staff which cannot be justified in progressive personnel practice and modern concepts of employee compensation and motivation.

60. While all Professionals and some General Service staff are considered international recruits, nationals of the duty station and locally recruited nationals and non-nationals are deprived of rights and benefits which their colleagues receive. This has been implicitly recognized by new rules and regulations which provide that all staff members, including nationals of the duty station, may receive an education grant when the staff member's child is unable, by reason of physical or mental disability, to attend a regular educational institution or requires special teaching or training in overcoming the disability.

The eligibility now of host country universities for education grant coverage in the case of children of expatriates has put to rest the long-held belief that re-assimilation into the home country school system was a purpose to be served by the education grant. These recent examples, taken from General Assembly resolution 33/119, represent a progressive broadening of the scope of the grant since 1946 and a recognition of the steep rise, at least at some duty stations, in the cost of the kind of education which international civil servants, as all other parents, are entitled to choose for their children and for which they are sometimes obliged to pay owing to circumstances at some duty stations. The exclusion of internationally recruited staff serving in their own country and locally recruited General Service staff from the benefits of the education grant provisions is an anomaly that warrants prompt corrective action.

61. The General Assembly, in resolution 35/214 A, requested ICSC "to review the possibility of extending the education grant to all internationally recruited staff, wherever they may serve" (sect. IV, para. 3). The General Assembly should immediately take whatever further steps are necessary to review the education grant and establish it on the principles of fairness and equity, which are the very foundation of the international civil service.

62. ICSC, in its report to the thirty-third session of the General Assembly, re-examined the evolution of the conditions of eligibility for the education grant over the past 30 years. ^{3/} A small group of internationally recruited staff members and all locally recruited categories of staff, irrespective of their nationality, find that their continued exclusion from education grant benefits adversely affects morale and is anachronistic, discriminatory and no longer tenable, particularly in the light of General Assembly resolution 33/119.

63. The concept of the education grant, as originally intended, has undergone constant change. For example, the purported rationale that the education grant was intended to facilitate a child's re-assimilation in the staff member's recognized home country was clearly abandoned when it was decided to provide expatriate staff members the grant for their children attending host country universities. From the history of the education grant there emerges a single, overriding concern, namely, the ability of the United Nations to recruit and retain the best staff possible in competition with other employers, public and private.

64. In its above-mentioned report, ICSC argued that the education grant was justified only in connexion with expatriation but did not recognize the merit of extending the grant to locally recruited categories of staff, even though many of them are, in fact, expatriates.

65. It was argued that internationally recruited expatriate parents incurred greater expense than they would have had they remained in national service, that they had no choice but to pay for their children's education, since considerations

^{3/} Official Records of the General Assembly, Thirty-third Session, Supplement No. 30 (A/33/30), paras. 212-223.

of adaptation and language made it difficult for their children to attend the state-subsidized schools of the duty station, while international civil servants living in their own country could share in the benefit of state-subsidized schooling in the same way as other citizens of that country. The problems of locally recruited expatriates adjusting to the local school system were not even considered by the Commission. The Commission, furthermore, found no merit in the claim that the education grant discriminates against non-expatriate staff, one reason being that the education expenses the non-expatriate has to bear are no different from those of any other citizen.

66. But the fact is that all citizens bear very different expenses, depending on many factors. Where quality public schools are available, most parents will prefer to send their children there. Such, unfortunately, is not the case at some duty stations today, where state-subsidized education is not a real choice. To deny this, as some do, is as illogical as declaring that the cost of living is the same everywhere. The mere fact that a staff member is working in his or her own country or is considered locally recruited, even though an expatriate, should not cause him or her to be burdened with expenses for which his or her colleagues are partially reimbursed.

67. In addition, staff regulation 1.2 clearly stipulates that international recruits are subject to assignment by the Secretary-General to any of the activities or offices of the United Nations. Many locally recruited staff voluntarily accept such assignments. All parents who have chosen a mobile international career, including those who, at a given time, are serving in their own country, should therefore be able to choose for their children an education that reduces the disadvantage of going from one educational system to another when the parent is transferred from one duty station to another. Such education is not always available in the national schools of the duty station country, where parents may be forced to pay for high-cost specialized education to meet the requirements of their life as full members of the international community. Since the founding of the Organization, the number of United Nations duty stations to which a staff member might be assigned has increased greatly and transfers will no doubt be more frequent in the future. Thus the need to minimize as far as possible disruptions in the lives of staff members and their families which might occur upon assignment to a new duty station becomes imperative. Likewise, an expatriate staff member whose child attends a university in the host country would be placed in an invidious position were he or she to be reassigned to another duty station which happened to be located in his or her own country. This would mean cutting off of the education grant entitlement and endangering the continuity of the child's university education.

68. It must be borne in mind that all staff serve the Organization in similar capacities and that their aspirations for their children are the same, but that expatriate international staff currently receive subsidies for fulfilling those aspirations while all other staff do not. The adjustment needs and the cost of education of children of all staff are, in most instances, exactly the same, and, therefore, the distinction among expatriate, non-expatriate local and international is no longer valid for purposes of the education grant scheme. In the final

analysis, the key to the matter is fairness, equality of treatment and recognition that all staff should have the same rights which flow from having chosen a career in international service.

69. Another reason for the exclusion of education assistance to internationally recruited staff serving in their own country and to locally recruited staff was stated to be the lack of national practice, especially in the comparator country, for public and private sector employers to provide the same. Actually, there is no uniform national practice in the matter, but because of the importance of education to parents and the interest in attracting the best employees, the practice of private employers runs the whole gamut of educational assistance, including maintaining schools for their employees, creating education funds, donating scholarships or contributing substantial sums to the school systems both public and private, without distinction among different categories of workers.

70. Most important, it has also been argued that no parallel can be found in the comparator country for corresponding provisions for national employees. Thankfully, however, rigid adherence to any one stance has not been the United Nations custom. For instance, the United States civil service does not make assistance available for the post-secondary studies of children of expatriates (national civil services, in general, rarely extend financial assistance to post-secondary education), and yet university studies are eligible for financial assistance under the United Nations education grant. In the areas of maternity and annual leave, to mention but two, the United Nations has gone beyond comparator country practice to espouse a fairer policy. It should also be recalled that only a proportion of the costs actually incurred are reimbursed to the parent, barely one half of them at the upper limit (75 per cent of the first \$3,000, 50 per cent of the next \$1,000 and 25 per cent of the next \$1,000, with no reimbursement above \$3,000). This guarantees that the grant is not abused - the staff member is not relieved of his or her normal responsibilities for providing for the children's education but is assisted where necessary.

71. In short, a hard look at the real purpose of the education grant in the light of current reality will demonstrate that the grounds for not including all staff are no longer valid and certainly are not sufficient to take precedence over the principle of fair and equal treatment of staff. The evolution of the United Nations rules over the years reveals a trend towards equal treatment of employees as being of the highest consideration.

72. It should also be noted that Professional and locally recruited staff at Headquarters, where education is particularly costly, have tried, unsuccessfully, to tap other sources of financial assistance. The United Nations International School used to offer partial relief to staff members who were not eligible for the education grant through tuition remissions, but these were discontinued abruptly on 14 March 1979. Bursary assistance is often unavailable. In the meantime, the General Assembly has raised the grant for expatriate colleagues. The resulting salary differential between expatriates and all other staff has become very unfair.

73. The staff therefore proposes the following amendment to the Staff Regulations of the United Nations:

Regulation 3.2. "The Secretary-General shall establish terms and conditions under which an education grant shall be available to a staff member whose dependent child is in full-time attendance at a school, university or similar educational institution. The grant shall be payable ...". (The text would continue with appropriate modifications to reflect the new policy.)

E. Transfer and assignment within the Secretariat

Movement of staff - definition of terms

74. The definitions given below are those officially recognized by the OPS in a memorandum dated 7 November 1975 from the Director of the Division of Personnel Administration:

(a) "Transfer" is the movement of a staff member from one office or department of the United Nations Secretariat to another for an indefinite period of time. A transferred staff member does not retain any administrative link with the releasing office or department, which has no obligation to reabsorb him or her at a later date.

(b) "Assignment" is the movement of a staff member from one office or department of the United Nations Secretariat to another or from a regular post (100 series) to a project personnel post (200 series) for a limited period of time. During the period of the assignment, the releasing office or department remains responsible for reabsorbing the staff member. Assignment therefore implies the blocking or earmarking of a post in the releasing office or department.

(c) "Detail" is the movement of a staff member from an office or department of the United Nations Secretariat to a designated mission (i.e., UNFICYP, UNTSO etc.) for a limited period of time. During the detail, the releasing office or department remains responsible for the reabsorption of the detailed staff member.

(d) "Loan" is the movement of a staff member from one office or department of the United Nations Secretariat to another for a limited period of time, normally not exceeding one year, during which the staff member continues to encumber his/her post in the releasing department, which remains responsible for his or her reabsorption.

Administrative Practice

75. Movement of staff within the Secretariat normally comes about through the personal initiative of those who wish to move rather than by an international effort to promote staff mobility.

76. If a vacancy occurs in the Professional category which can be filled through internal transfer, the Division of Personnel Administration arranges the transfer with the approval of the Assistant Secretary-General for Personnel Services. It

is the responsibility of the Career Development and Placement Unit to identify suitable internal candidates and to recommend the transfer. Unlike ILO, however, where "the emphasis ... is definitely upon filling positions from within, before external appointments are considered", the practice in the Secretariat is to conduct a simultaneous internal and external search for candidates. If the department where the vacancy occurs decides to fill it by promotion from within, no such search is made.

77. Movement of General Service staff within the category is carried out largely on an ad hoc basis. Vacancies are filled at the initiative of the departments and offices, and unless a staff member is close enough to know of the vacancy or follows closely the decisions of the Advisory Committee on Administrative and Budgetary Questions concerning new posts, there is practically no other way of finding out about available posts. Unlike FAO or the United Nations Office at Geneva, Headquarters does not have a system of publicizing vacancies in the General Service category. Opportunities for movement among the General Service staff are so minimal that staff wishing to transfer automatically resort to the "grapevine". There are even some individuals who, out of frustration with OPS, systematically call each of the administrative and executive offices to signify their availability for transfer.

Specific problems

(a) Career development and staff mobility

78. There is no doubt that prospects for career development and staff mobility are now closely linked. Instructions for recent promotion reviews underline the requirement that all recommendations for promotion in the Professional category should include the mobility factor. This trend has been emphasized by the requirements of programme budgeting that any transfer of posts from one programme to another must be justified in the budget and that posts may not be transferred for purposes of promotion. Therefore, there is more need to promote mobility of staff to facilitate career development. The link between career development and staff mobility raises serious concerns. Does the mobility factor relate to mobility between duty stations/departments/offices or between occupational groups, or both? If service in various types of offices and duty stations and occupational groups is a positive factor in considering a staff member's eligibility for promotion, does it follow that lack of occupational versatility and geographical mobility is a negative factor? If so, to what extent?

(b) Vacancy announcements

79. The effectiveness of the posting of vacancy announcements is, in general, seriously doubted. Staff are convinced that many vacancy announcements are posted merely as a token of compliance with the administrative requirement and that candidates have already been chosen by the department/office concerned. In some cases, the "vacancies" are already occupied by the favoured candidate on an initial short-term contract. This is especially a problem in field offices which have been delegated by OPS the authority to appoint staff members. OPS has a policy against such procedures, but departmental heads continue to request exceptions.

In addition, there are vacancies which are not announced and are filled sometimes in clear contradiction with the organizational policy that no post should be the exclusive preserve of any one Government or regional group.

(c) Job satisfaction

80. It is not true in all cases that a desire to move within the Organization is dictated by career ambitions. There are many individuals whose modest wish is for a certain degree of job satisfaction, either by way of better work assignments or of more harmonious work relationships. These, too, are legitimate reasons for transfer.

81. Many staff members find, after having accepted a post on the basis of a job description and interviews, that the actual work does not correspond to the description and/or does not fit their expressed requirements and capabilities. It only compounds the disappointment when the staff member is told by OPS that a request for transfer cannot be entertained, as he or she has just been appointed. Some choose to leave the Organization, probably with the Organization as the loser; others choose to live with their disappointment.

(d) Resistance of supervisors to movement of staff

82. Paragraph 114 of document ICSC/R/112 specifically mentioned among the impediments to the establishment and functioning of a career development policy and programme at the Secretariat the "restrictions on mobility due to resistance of supervisors (to the releasing of good staff members) and for reasons of efficiency". In almost all cases, releasing offices require that the transfer take effect only after a suitable replacement is found - a process which can take months. This is prejudicial both to the staff and the service. There have been cases where releasing offices deliberately delayed the finding of a replacement.

(e) Understaffing in OPS

83. The initial effort by the administration several years ago to respond to a mutual need for a systematic procedure for the career development and mobility of staff has not been adequately followed through in recent years. The Career Development and Placement Unit, so far, has not fully assumed its longer-range responsibilities because of lack of staff resources. The same problem exists in the General Recruitment Section. The continuing and serious understaffing of the two offices can only be construed as a lack of seriousness on the part of the administration in promoting staff mobility.

(f) Post categorization

84. There are many cases of staff belonging to a certain category or occupational group who have gained skills which will qualify them for transfer to another category or occupational group. Many of these staff members pursued academic training on their own resources in the hope of advancing their careers in the Organization. For example, the problems found in transfers from one geographical

post to another, or from one non-geographical post to another, are dwarfed by those encountered in efforts to transfer from a non-geographical post into a geographical post. Many language staff are equipped with substantive qualifications which should make them eligible for transfer to geographical posts. Many of them, however, are from over-represented countries. The administration is understandably reluctant to deepen any existing geographical imbalances within the Secretariat. At the same time, it would seem only fair to give individuals, whose qualifications are enhanced by relevant United Nations experience, opportunities to serve the Organization in areas from which they are excluded because of nationality, a factor beyond their control.

Conclusions

85. The basic principle of movement of staff should be based on supply and demand, tempered only by common interoffice courtesies. If a receiving office is ready to receive, and the staff member is ready to move, the releasing office should release the staff member within a reasonable period of time, whether or not there is a replacement.

86. The administrative procedure is basically sound. The provisions of document ST/ADM/SER.A/437, relating to consultations with staff representatives on filling of vacancies, are particularly commendable, but the fact remains that such consultations do not occur at all.

87. It is time to review the procedure for requesting transfer as contained in Personnel Directive 8/61 of 28 November 1961. The essence of the exercise is timing. It calls for the adoption of a system involving a time frame from the point when a staff member signifies availability for movement up to the point when movement actually takes place. A two to three-month period is considered reasonable. There should be a specific time-limit set between the agreement of a receiving office/department and the actual release. A two to four-week period is suggested. By reducing the power of releasing offices to impede the movement of a good staff member, supervisors could take better account of staff members' job satisfaction and career prospects.

88. Individuals who have acquired additional occupational skills on their own account while in the service of the Organization should receive special attention from the administration in the promotion of mobility, as these are the individuals who are most likely to have the motivation and the ability to be useful to the Organization.

89. In both the Career Development and Placement Unit and the General Recruitment Section, the inability to respond adequately is attributable to a large extent to serious understaffing and resistance by releasing offices or departments.

90. It is important for staff to know how the concept of the mobility factor will be interpreted in the appointment and promotion bodies in each year's promotion review.

Recommendations

1. The administration in consultation with staff, should revise and issue personnel directive 8/61 as an administrative instruction, outlining the principles and procedures for transfer and other movements of staff, including transfers from non-geographical to geographical posts.

2. The administration, in consultation with the staff, should devise a way of publicizing internally the vacancies in the General Service category. Furthermore, administration representatives should call upon all those involved in the transfer process to facilitate and expedite the process of transfer within a reasonable period of time.

3. The Office of Personnel Service should be strengthened by additional staff resources and should provide the staff at large with updated lists of vacancies throughout the Secretariat.

F. Career development

91. There is no area of personnel administration to which more lip service is paid and less done than career development. Despite extensive reports, much talk and even General Assembly decisions, little or no progress has been made in establishing a career development policy for the Secretariat and the necessary programmes to carry it out.

92. Document ST/SGB/166 of 18 May 1978 was intended to establish a career development system for Professional staff organized along occupational lines and utilizing career development committees. In the three years since this "policy" was promulgated only one career development committee has been established for the information field. That committee has not even submitted its report, let alone taken any action to put a career development programme into effect. Moreover, no funds have been allocated to cover the costs of any proposals it might recommend.

93. While career development for Professionals is extremely limited, no effort whatsoever has been made for the General Service and other locally recruited categories of staff. We reject the notion that the competitive examination is a career development programme. It is clear from the debate that took place in the Fifth Committee that its basic purpose was to make movement into the Professional category more difficult, in order to preserve entry-level Professional posts for governmental nominees from geographically under-represented Member States. In fact, the examination combined with the very restrictive quota has virtually eliminated career development prospects for the vast majority of locally recruited staff. The Fifth Committee should take urgent action to restore to those staff the possibility of movement in their careers. At Headquarters alone, more than 650 staff members are stuck at the top steps of their grades with no prospect for advancement. In addition to recommending to the General Assembly liberalization of the quota, an immediate action the Fifth Committee could take to alleviate this problem would be to recommend a system of longevity steps and merit increases, as applied in some of the specialized agencies (e.g., ILO and WHO).

94. Even these faltering and inadequate efforts at career development stand in jeopardy from the two reports of the Joint Inspection Unit being presented to the General Assembly at its current session. We wish to comment on these reports as follows.

Application of the principle of equitable geographical distribution of the staff of the United Nations Secretariat (JIU/REP/81/10)

95. While supporting the concept of geographical distribution, which is fundamental to a true international civil service, the JIU report goes beyond an analysis of the problem it seems to address. Moreover, it is not at all clear what directives or terms of reference have inspired its recommendations. We are frankly shocked by the political orientation of such recommendations, the spirit of which runs counter to the basic principles of Articles 100 and 101 of the Charter of the United Nations.

(a) Fixed-term vs. permanent contracts

96. The Office of Personnel Services reports that 38 per cent of all appointments were for fixed terms as of 31 December 1980. The ever-increasing use of fixed-term contracts highlights the pressure for political appointments and the rapid turnover of jobs to accommodate political favours and candidates being pushed by Member States. This trend is directly opposed to the concept of a career service based on merit as established in the Charter and to the Organization's expressed interest in promoting career development. We strongly urge that the General Assembly take all necessary measures to reinforce the career concept within the international civil service by advancing specific ideas and programmes that will steadily improve the ratio between fixed-term and career appointments in favour of the latter. In addition, rigid controls should be placed on the numbers of staff seconded or nominated by Governments. In this context, it should be emphasized that an independent career service is in the best interests of the Member States themselves. A Secretariat composed of governmental nominees serving the interests of their respective Governments would soon mirror the rivalry, tension and suspicion that often characterizes relations between Member States and would make smooth internal working relationships difficult, if not impossible.

97. The problem of geographical distribution starts with recruitment, but the sad fact is that the Secretariat lacks a coherent recruitment programme. Steps should be taken to draw up long-term recruitment plans and make active recruitment efforts from under-represented areas. With the establishment of an efficient recruitment programme, geographical balance can be achieved without altering the present system of fixed-term and permanent appointments, and the concept of a career service based on merit.

98. For these reasons we oppose the establishment of quotas for the granting of permanent contracts. A sensible policy in this respect is indispensable to safeguard the independence, impartiality and efficiency of the Secretariat. There are enough safeguards in the granting of fixed-term, probationary and permanent contracts to ensure that the system works to the benefit of both Member States and the staff.

(b) External recruitment and vacancy announcements

99. Recommendation 5 of JIU is directly opposed to the concept of career development. The JIU proposal to issue vacancy notices simultaneously for internal and external candidates runs counter to the provisions of the Staff Regulations and Rules of the United Nations (staff regulation 4.4 and staff rule 104.14). If implemented it would further diminish the already limited career opportunities for serving staff. The small advantage given to serving staff in the issuance of vacancy notices must be maintained, consonant with regulation 4.4.

(c) Appointment at senior levels

100. Contrary to the spirit of recommendation 6, we urge that appointments at the D-2 level be vetted through the appointment and promotion bodies, where staff nominated members play a role.

Concepts of career, types of appointments, career development and related questions (JIU/REP/81/11)

101. The above report was requested by the General Assembly by resolution 35/210 which, at the same time, requested ICSC to take up the subject. We note with regret that no joint report has been produced, and we fear that the different approach of the two organs may cause further confusion and delay in the procedural steps to be taken in setting in motion a genuine career development programme.

102. We strongly support the concept of career embodying security of tenure, promotion at a reasonable pace and participation in the definition of career development.

103. We also maintain that the proportion between career and non-career appointments should be based exclusively on a balance between the needs of the Organization and the legitimate expectations of its staff, the policy in this respect to be decided by the organizations themselves, in consultation with the staff.

104. The problems raised in the JIU report strike at the very existence of the international civil service. They are of such diversity, gravity and magnitude that any decision by the General Assembly at this point on the issues raised, however tentative, would be counter-productive. The Inspectors themselves admit that the time at their disposal did not allow for an in-depth examination of all the problems and that, consequently, they could not reach definite conclusions on any of them. Certainly, they never obtained the views of the staff; nor did they consult other knowledgeable experts regarding the history and development of the international civil service.

105. Thorough consideration and consultation is required before far-reaching personnel changes are introduced. The negative effects of inadequate consultation with the staff can be seen in the experience of the competitive examination and the quota.

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106. We therefore urge that the General Assembly decide to undertake further detailed study on all these issues, with the full participation of duly elected staff representatives.

107. Ideally, a comprehensive career and staff resources planning function should be established, embodying recruitment, job classification, training and promotion as interrelated aspects of an integrated personnel policy. While recognizing that personnel functions cannot be viewed in isolation, improvements could be implemented in the following areas:

(a) Job classification

108. Job classification should be flexible enough to allow for changing organizational patterns and programmes and legitimate expectations of upward mobility. Promotion based on merit should be embodied in the scheme, and the concept of linked grades should be seriously examined. However, in order to be consistent and allow for career development, a system of linked grades should include upward linkage as well. For reasons of consistency the staff would not favour a policy of mandatory recruitment at the lower grade of the post. Moreover, budgetary considerations should not affect upward reclassification of a post.

(b) Training

109. It should be clear that the provision of adequate training facilities is beneficial to both the Organization and the staff. The staff's legitimate aspirations for training have been recognized, and improvement has been noted in this respect. However, the link between training and career has still to be developed. We maintain that the improvement or acquisition of new skills beneficial to the Organization must be appropriately rewarded. Career incentives must be provided to encourage staff to participate in such training. This is particularly true of management training, especially at the higher levels.

110. A more flexible attitude toward the granting of study leave, paid or unpaid, should be encouraged. In this connexion, the UNESCO scheme of study-time entitlement should be considered seriously as a viable alternative, since the Organization cannot possibly respond to every training need.

111. Finally, an analysis of training needs should be conducted and adequate budgetary resources allocated to meet those needs.

(c) Performance evaluation

112. Staff are far from satisfied with the current system of performance evaluation and, most particularly, with the rebuttal procedure. A long critique of the Secretariat system of performance evaluation is not needed at this stage, because ICSC through its various studies has clearly identified most of the defects and has suggested new evaluation forms which could correct some of the more obvious shortcomings of the current system. Providing space within the evaluation form

itself for the staff member to comment on the ratings given would help to reduce the need for time-consuming rebuttals. But where rebuttals are undertaken, the report of the rebuttal panel should be made known directly to the staff member rather than having the head of the department do his/her own appraisal of the rebuttal panel's findings.

(d) Special measures for women

113. Women have been subject to prejudicial and discriminatory attitudes and practices in recruitment and promotion. Therefore affirmative action must be taken to correct this long-standing pattern of injustice. We urge that special measures or policies be adopted to develop the careers of women. Without special measures and efforts, the position of women in the Secretariat will never be improved. In fact, despite the expressed intentions of the administration to take such measures, very little has actually been done to improve the situation of women in the Secretariat.

G. Professional development in the Secretariat

114. In contrast to career development, professional development concerns the recognition and support of Professionals as representatives of a profession or area of expertise. Recognition in this context encompasses aspects of professional life, such as access to information, consultation, recognition of authorship, the opportunity to remain current in and/or contribute to the knowledge of one's field and the opportunity to meet and/or maintain contact with others doing the same kind of work.

115. Earlier this year, the New York Staff Union conducted a survey among Professional staff to determine the extent of problems in this area. Judging from the survey results, there appears to be considerable room for improvement. The main issues identified by the survey include the need for:

- (a) Better access to information;
- (b) Recognition of authorship;
- (c) More opportunity for professional involvement outside the United Nations;
- (d) Improved recognition of professional accomplishment and standing.

116. In the area of information and consultation respondents provided a clear indication that many of them do not consider themselves adequately informed about the purpose, scope and approach of the projects/activities in which they or their colleagues are involved. Half the Professionals do not feel they are sufficiently consulted in the consideration and formulation of new projects and activities.

117. Two out of three staff members to whom this issue is relevant are not satisfied with the manner in which the United Nations currently handles the authorship of documents prepared by individuals or groups.

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118. A central issue among Professional staff concerns opportunities for involvement in professional activities outside the United Nations. Activities such as writing and publishing, teaching, membership in professional organizations, attendance at professional meetings and obtaining additional training or taking refresher courses are generally considered important means of maintaining, solidifying, renewing and expanding professional expertise and standing, with obvious positive implications for job performance.

119. While the vast majority of respondents currently engages in one or more of the above activities, almost four out of five Professionals would welcome the opportunity to become more involved in professional activities outside the United Nations. The major thrust of activities is envisaged in the areas of professional meetings and training. Time and again respondents expressed their need to attend professional meetings and conferences as a means of staying in touch with developments in their respective fields and the professional environment outside the United Nations; they would like to be able to do so with the encouragement of the United Nations during regular working hours and with United Nations funds. The same should apply to continuing and additional training relevant to work at the United Nations. Respondents also stressed that they do not consider the Training and Examinations Service in its present form to be equipped to provide training of the desired scope and quality.

120. Despite the widespread desire to expand and refresh Professional expertise, half the respondents felt that the United Nations provides few incentives to do so. Professional contributions in general and any training/refresher courses and the like that staff members have completed after starting work at the United Nations do not receive adequate recognition in their United Nations career.

Authorship

121. In accordance with staff rule 112.7, all proprietary rights for any work performed by a staff member in his or her official capacity are vested in the United Nations. While continuing to recognize the necessity of the Organization's exclusive proprietary rights over publications produced under its auspices, it is nevertheless felt that current policies on attribution of authorship, as set forth in administrative instruction ST/AI/189/Add.6/Rev.1 on regulations for the control and limitation of documentation are unduly restrictive. The instruction in question should be modified, at least in the case of substantive papers, to permit the naming of the authors in either title or the preface, with an appropriate disclaimer such as those employed by ILO or the World Bank. In the case of ILO, the formula reads: "The responsibility for opinions expressed in signed articles, studies and other contributions rests solely with their authors, and publication does not constitute an endorsement by the ILO of the opinions expressed in them". In addition to the question of recognition, such attributions may also serve to assist those wishing further information on a given topic.

Outside professional activities

122. Existing administrative guidelines concerning outside staff activities and interests other than political activities are unclear and even contradictory.

Staff rule 101.6 implicitly exempts non-recurring and non-continuous activities not related to the purposes, activities or interests of the United Nations from the requirement of prior permission. However, administrative instruction ST/AI/190 goes beyond the framework of the staff rule by requiring that anyone wishing to engage in an outside activity, whether it involves compensation or not, "must submit a request for permission through his supervisor to the head of his department or office". Included in the scope of outside activities of an occasional nature requiring authorization is publication of an article or book, and among the criteria to be applied in granting the request or not are "the nature of the publication ... as well as the competence of the staff member in the subject-matter". Administrative instruction ST/AI/190 should be revised to make it less restrictive with respect to outside activities which are non-recurring and non-continuous, and unrelated to the purpose, activities or interests of the United Nations. This would bring it closer into line with staff rule 101.6.

123. It is also proposed that the guidelines for interpretation of staff rule 101.6 should be expanded by defining the types of opportunity for outside professional activities of which staff may take advantage during regular working hours with the Organization's full or partial financial support and by specifying the conditions under which support will be granted.

Career opportunities related to professional development

124. Current mechanisms for the temporary loan or long-term transfer of staff within the United Nations system appear to discourage horizontal mobility and thereby impede over-all professional development. (In contrast to career development, professional development concerns the recognition and support of professionals as representatives of a profession or area of expertise.) Greater flexibility should be allowed for exchanging posts or accepting temporary assignments on both a departmental and interdepartmental basis. In addition the Career Development and Placement Unit should take a more active role in implementing the 1972 Inter-Organization Agreement concerning Transfer, Secondment or Loan of Staff among the Organizations Applying the United Nations Common System of Salaries and Allowances. Directives should be issued to safeguard the acquired rights of staff serving at duty stations other than Headquarters, so as to ensure that such service is viewed positively in terms of promotion. The terms of reference of the Career Development and Placement Unit should be studied and amended in order to make it more responsive to the legitimate career aspirations of professional staff.

Training and education

125. At various points in their career Professional staff may be in need of additional training and education in order to remain abreast of new developments in their fields or to acquire the skills necessary for their professional and personal development. The United Nations tries to meet these needs through the activities of the Training and Examinations Service and the External Studies Programme. However, the Training and Examinations Service as presently constituted does not have the capacity to offer sufficient programmes either in terms of topics

covered or in level of instruction provided. The stringent conditions of the External Studies Programme severely limit the number of individuals who are able to take advantage of the opportunities it offers.

126. We therefore proposed the creation of opportunities for Professional staff to obtain, within and outside the Organization, the high quality additional training and education required to guarantee the outstanding job performance desired; the establishment and distribution to all Professional staff of a set of unambiguous guidelines on the kinds of training and education programmes (not offered by the Training and Examination Service) for which they may obtain full or partial support from the United Nations and of the conditions under which support will be granted.

Professional orientation and consultation

127. The desire of staff members, especially at the Professional level, for greater participation and involvement in their work and the work of their colleagues could be greatly facilitated by a more systematic approach to staff consultation and orientation, particularly through a better understanding of how an individual's work relates to the over-all objectives of a given department or office.

128. One area in which this might be accomplished is staff orientation. Newly recruited staff members should be informed as part of their initial orientation about the over-all objectives of their department or office. Information on the mandates and work produced by respective departments could be presented as a compendium of the narratives contained in the proposed programme budget made available for general distribution.

129. In addition, in order to increase awareness of the kind of work being done throughout the Secretariat, space could be made available in periodicals such as Development Forum, the United Nations Chronicle or the Secretariat News to highlight the terms of reference, activities and future goals of each department on a rotating basis.

130. A large number of staff members have expressed the need for better co-ordination and consultation within their departments. Heads of offices and departments should be urged as much as possible to provide an opportunity for regular exchanges of ideas between colleagues, as well as consultation with superiors on projects and future plans.

IV. CONCLUSION

131. It is hoped that the General Assembly, through the Fifth Committee, will give serious and detailed consideration to the proposals put forward by the staff. A serious gap exists in the United Nations Secretariat between pronouncements and practice as far as personnel administration is concerned. In this report and our previous one, we have identified a host of problems requiring remedial action. Reform of personnel administration will not only improve morale and productivity but will make the Secretariat more effective in realizing the aims and goals of Member States.