Chapter III

United Nations staff

In 2004, the work of the International Civil Service Commission (ICSC), the body which examined and made recommendations on the conditions of service of the staff of the UN common system, was reviewed by the Panel on the Strengthening of the International Civil Service, appointed by the Secretary-General. The Panel made recommendations for improving the functioning of the Commission, including proposals for enhancing the consultative process, facilitating the selection of high-level experts to bring to the Commission a mix of knowledge and expertise and limiting the terms of office of its members and the length of its sessions.

The General Assembly, through ICSC, continued to review the conditions of service of staff of the UN common system. The Assembly adopted ICSC recommendations relating to the level of the education grant, paternity leave, the base/floor salary scale and the level of children’s and secondary dependants’ allowances. It took note of the progress made in the review of the pay and benefits system, and requested ICSC to enhance transparency and administrative simplicity in that system. The Assembly took note of the progress made in establishing the Senior Management Service and requested the Secretary-General to redesignate that Service to enhance the managerial capacity of senior staff. The Assembly expressed concern that only limited progress had been made towards the advancement of women in the UN common system.

The Secretary-General reported on: the conditions of service and compensation of members of the International Court of Justice, judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, and ad litem judges of both Tribunals; compensation of members of the United Nations Administrative Tribunal (UNAT); human resources management reform; improving gender distribution in the UN Secretariat; new contractual arrangements; staff composition; the use of consultants and individual contractors; recruitment of nationals of unrepresented and underrepresented Member States; the use of retired personnel; the improvement of the status of women in the UN system; special measures for protection from sexual exploitation and sexual abuse; updated information on threats against the safety and security of UN personnel; a strengthened and unified security management system for the United Nations; implementation of the 2003 recommendations of the Office of Internal Oversight Services (OIOS) on the Investment Management Services of the United Nations Joint Staff Pension Fund; standards of accommodation for air travel; the administration of justice in the Secretariat; the work and role of the Panels on Discrimination and Other Grievances; the work of the Joint Appeals Board; and the financial independence of UNAT. In cooperation with OIOS and the Joint Inspection Unit (JIU), the Secretary-General also reported on measures to prevent discrimination on the basis of nationality, race, gender, religion or language in the United Nations.

OIOS evaluated the implementation of Assembly provisions on human resources management, the availability in local labour markets of the skills for which international recruitment for the General Service category took place, and reported on the management review of the appeals process at the United Nations. JIU reported on the harmonization of the Statutes of UNAT and the International Labour Organization Administrative Tribunal.

To strengthen the safety and security of UN staff and associated humanitarian personnel, the Assembly called on all Governments and parties in complex humanitarian emergencies to cooperate fully with the United Nations to ensure the safe and unhindered access of humanitarian personnel in order to allow them to perform their task efficiently, and requested the Secretary-General to take the necessary measures to ensure full respect for the human rights, privileges and immunities of UN and other personnel carrying out activities in fulfilment of the mandate of a UN operation.

Conditions of service

International Civil Service Commission

The International Civil Service Commission (ICSC) continued to regulate and coordinate the conditions of service and the salaries and allow-
nances of the UN common system. ICSC held its fifty-eighth (Paris, France, 29 March–16 April) and fifty-ninth (New York, 12–30 July) sessions, at which it considered, in addition to organizational matters, the conditions of service applicable to both Professional and General Service categories of staff, and those relating specifically to the Professional and higher categories and to the General Service and other locally recruited categories.

The deliberations, recommendations and decisions of ICSC on those matters were detailed in its thirtieth annual report to the General Assembly [A/59/30 (Vols. I & II)] (see sections below).

In a 12 October statement on the administrative and financial implications of ICSC decisions and recommendations for the 2004-2005 programme budget [A/59/429], the Secretary-General estimated the additional resulting requirements at $2,267,700, net of staff assessment.

On 21 October [A/59/522], the Advisory Committee on Administrative and Budgetary Questions (ACABQ) recommended approval of the Secretary-General’s recommendation to accommodate the estimated supplementary requirements from within the common staff costs provision in the 2004-2005 programme budget.

GENERAL ASSEMBLY ACTION

The General Assembly, in section XII of resolution 59/276 of 23 December (see p. 1383), took note of the Secretary-General’s statement, the recommendations contained in ICSC’s report and the related ACABQ report.

Also on 23 December [meeting 76], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/59/647], adopted resolution 59/268 without vote [agenda item 16].

United Nations common system: report of the International Civil Service Commission

The General Assembly,


Having considered the report of the International Civil Service Commission for 2004, the note by the Secretariat submitting the report of the Panel on the Strengthening of the International Civil Service and the note by the Secretary-General on the findings and recommendations of the Panel,

Reaffirming its commitment to a single, unified United Nations common system as the cornerstone for the regulation and coordination of the conditions of service of the United Nations common system,

Commended that the common system constitutes the best instrument through which to secure staff with the highest standards of efficiency, competence and integrity for the international civil service, as stipulated in the Charter of the United Nations,

Reaffirming the statute of the Commission and the central role of the Commission and the General Assembly in the regulation and coordination of the conditions of service of the United Nations common system,

Takes note of the report of the International Civil Service Commission for 2004;

I

Conditions of service applicable to both categories of staff

A. Review of the pay and benefits system

1. Notes the information provided on the pilot study on broad banding and pay-for-performance;

2. Also notes that if all three models of the pay-for-performance system were not tested, this could diminish the value of the pilot project and requests the Commission to keep this in mind in its further consideration of the issue, and encourages volunteering organizations to test all three models;

3. Recognizes that an effective and credible performance appraisal system is the key for the possible introduction of a pay-for-performance system, and requests the Commission to ensure that the performance appraisal systems in volunteer organizations are developed, in full consultation with staff members, and are clear, effective and credible for all the parties concerned, including Member States;

4. Looks forward to receiving from the Commission annual updates on the pilot studies on broad banding and pay-for-performance;

5. Decides that no new strategy or pilot project in broad banding or pay-for-performance should be undertaken until the General Assembly has had an opportunity to review the results of the pilot study on broad banding and pay-for-performance being conducted by the Commission;

6. Requests the Commission to report on the contemporary rationale for separate salary scales for single staff and those with dependants in the context of its report on pay and benefits review;

B. Contractual arrangements

Recalling section I.A, paragraph 4, of its resolution 57/285 of 20 December 2002,

Notes the intention of the Commission to submit to the General Assembly at its sixtieth session a final report on contractual arrangements;

C. Mobility and hardship allowance


1. Recognizes the work undertaken by the Commission in reviewing the current mobility and hardship scheme in the context of the pay and benefits review;

2. Takes note of the decision taken by the Commission in paragraph 157 of its annual report;

D. Hazard pay

Recalling sections I.D of its resolutions 57/285 of 20 December 2002 and 58/251 of 23 December 2003

Takes note of the decision of the Commission contained in paragraph 147 of its annual report;
United Nations staff

E. Review of the level of the education grant

Recalling section IV of its resolution 51/216 of 18 December 1996, section III.A of its resolution 52/216 of 22 December 1997 and section I.E of its annual report of 20 December 2002,

1. Approves the increases in the maximum reimbursement levels for fifteen countries, as well as other recommendations in respect of the reimbursement of expenses under the education grant, as recommended by the Commission in paragraphs 166 (a) to (f) of its annual report;

2. Reiterates its request to the organizations of the common system to bring the matter of the payment of the education grant to staff members living in their own countries to the attention of their governing bodies, with a view to harmonizing the staff rules and regulations along the lines of those of the United Nations, and invites governing bodies to take the relevant actions;

3. Requests the Commission to inform the General Assembly at its sixtieth session as to the practices of other relevant civil services and international organizations concerning the provision of education grants;

F. Review of pensionable remuneration


1. Takes note of the decision of the Commission contained in paragraph 276 of its annual report;

2. Requests the Commission to include the review of grade equivalency in the study to determine the highest paid civil service on its work programme for 2005–2006;

G. Review of allowances

1. Requests the Commission, in reviewing and modernizing the system of grants and allowances, to attach priority to enhancing transparency and administrative simplicity;

2. Also requests the Commission to inform the General Assembly at its sixtieth session as to the practices of other relevant civil services and international organizations concerning the provision of education grants;

H. Common scale of staff assessment


1. Paternity leave

Takes note of the decision of the Commission contained in paragraph 211 of its annual report, and confirms its recommendations to have paternity leave implemented throughout the common system within the parameters set forth in the report;

II Conditions of service of staff in the Professional and higher categories

A. Examination of the Noblemaire principle and its application

Recalling its resolution 44/198 of 21 December 1989 and other relevant resolutions,

1. Reaffirms the continuing application of the Noblemaire principle;

2. Also reaffirms the need to continue to ensure the competitiveness of the conditions of service of the United Nations common system;

3. Takes note of the decision of the Commission contained in paragraph 273 of its annual report;

B. Grade equivalencies between the United States federal civil service and the United Nations common system


1. Takes note of the decision of the Commission contained in paragraph 276 of its annual report;

2. Requests the Commission to include the review of grade equivalency in the study to determine the highest paid civil service on its work programme for 2005–2006;

C. Evolution of the margin

Recalling section I.B of its resolution 51/216 of 18 December 1996 and the standing mandate from the General Assembly, in which the Commission is requested to continue its review of the relationship between the net remuneration of the United Nations staff in the Professional and higher categories in New York and that of the comparator civil service (the United States federal civil service) employees in comparable positions in Washington, D.C., (referred to as “the margin”),

1. Notes that the margin between net remuneration of the United Nations staff in grades P-1 to D-2 in New York and that of officials in comparable positions in the United States federal civil service in Washington, D.C., for the period from 1 January to 31 December 2004 is 110.3, as shown in annex V to the annual report of the Commission;

2. Reaffirms that the range of 110 to 120 for the margin between the net remuneration of officials in the Professional and higher categories of the United Nations in New York and the officials in comparable positions in the comparator civil service should continue to apply, on the understanding that the margin would be maintained at a level around the desirable midpoint of 115 over a period of time;

D. Base/floor salary scale

Recalling its resolution 44/198 of 21 December 1989, by which it established a floor net salary level for staff in the Professional and higher categories by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service (the United States federal civil service).

Approves, with effect from 1 January 2005, as recommended by the Commission, the revised base scale of gross and net salaries for staff in the Professional and higher categories, as contained in annex VI to the annual report of the Commission;

E. Review of the level of children’s and secondary dependants’ allowances

Recalling section II.F of its resolution 47/216 of 23 December 1992;

Approves the recommendations of the Commission contained in paragraph 214 of its annual report;

III A. Senior Management Service

Recalling section I.A, paragraphs 5 and 6, of its resolution 57/285 of 20 December 2002;

1. Recalls that, in section I.A, paragraph 5, of its resolution 57/285 of 20 December 2002, it requested the Commission to review the proposal for the introduction of the Senior Management Service, as described in
paragraph 80 of the annual report of the Commission, in view of its intention to consider the question at its fifty-eighth session;

2. Also recalls that the Commission requested the United Nations System Chief Executives Board for Coordination to keep it informed and to report appropriately about the related developmental work proceeding under the auspices of the Board;

3. Further recalls its decision 55/488 of 7 September 2001;

4. Reaffirms articles 9 and 10 of the statute of the Commission;

5. Recognizes that measures to improve management capacity and performance among senior staff are highly desirable;

6. Affirms that the Commission is the only body responsible for recommending to the General Assembly the establishment of a separate category of staff for the common system;

7. Requests the Commission to continue to monitor the project regarding the improvement of management capacity and performance among senior staff by the United Nations System Chief Executives Board for Coordination, and to advise and make recommendations to the General Assembly as appropriate;

8. Requests the Secretary-General, in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, to redesignate the Senior Management Service to reflect its character as a set of collaborative efforts to enhance the managerial capacity and performance of senior staff by respective executive heads and to report to the General Assembly at its sixtieth session, clarifying the scope and content of such efforts, for consideration and action if it deems it necessary;

B. Gender balance in the United Nations system

1. Notes with concern, as pointed out by the Commission with regard to the organizations of the United Nations common system, that the rate of advancement of women had slowed over the years and that only limited progress had been made;

2. Takes note of the decision of the Commission in paragraph 297 of its annual report, and requests it to provide information on the outcome of its consideration of the report on further progress in this field;

IV

Strengthening of the international civil service

Decides to revert to the consideration of the report of the Panel on the Strengthening of the International Civil Service and the recommendations therein and the note by the Secretary-General on the findings and recommendations of the Panel during the first part of its resumed fifty-ninth session.

Also on 23 December, the Assembly decided that the agenda item on the UN common system would remain for consideration during its resumed fifty-ninth (2005) session (decision 59/532).

Functioning of ICSC

Strengthening of ICSC

In response to General Assembly resolution 57/285 (UN 2002, p. 1997), the Secretary-General, in June [A/59/15], submitted the report of the Panel on the Strengthening of the International Civil Service. The Panel, chaired by Mary Clinary-Hesse (Ghana), examined ways to further strengthen ICSC in the context of its statute, maximize its ability to support the Assembly in guiding the UN common system and enhance ICSC’s contribution to modernizing and reinforcing the international civil service. The Panel found that the success of the reform efforts under way throughout the Organization to enhance its ability to deliver the programmes mandated by Member States depended largely on the performance of the international civil service. To improve the effectiveness of the service, the system had to be able to attract, develop, motivate and retain staff of the highest calibre from all regions of the world. The main challenges facing ICSC were: supporting the Assembly in leading the current change management process; and being a proactive partner with executive heads in the reform process. The Panel proposed, among its recommendations, strengthening ICSC’s capacity as a source of technical expertise and policy advice, and reinforcing its collaboration with Member States, system organizations and the staff association. It recommended that the revised ICSC working methods be fully reflected in its rules of procedure annexed to the report, so as to formalize the consultative process in the establishment of its agenda, greater use be made of working groups to strengthen the relationship between consultative partners, the ICSC statute be strictly applied in respect of the qualifications and the process of consultations for membership in the Commission, as provided for in articles 3 and 4, and specific criteria be introduced, as set out in the annex to the report, to assist in focusing all phases of the selection process. Member States should take those requirements and criteria into full consideration when submitting and electing candidates, and the Secretary-General should draw on them to improve the consultative process and facilitate the selection of high-level experts in different management areas to bring the Commission an effective mix of expertise, knowledge and experience. The Panel also proposed that the Assembly limit ICSC appointments to two terms; each ICSC session be limited to a maximum of ten working days, while making greater use of informal working groups; a system of performance-based pay be introduced; the application of the Noblemaire principle be reviewed to determine the extent of the competitiveness of the common system; and action be taken by the Assembly to restore and preserve that competitiveness. Consultative partners should ensure greater cohesiveness in the organizations’ con-
tractual arrangements, and UN system organizations should use the various contractual arrangements for their intended purpose and avoid continual extension of short-term contracts for long periods. The Panel also recommended that the Commission’s future work programme should place special emphasis on inter-agency mobility and ensure that effective incentives were in place; and that the Commission undertake a comprehensive reassessment of the compensation policy and incentives for service in difficult and hazardous conditions.

**ICSC report.** ICSC, in its comments on the report (see above), submitted in August [A/59/30 (Vol. II)], noted that, while many of the Panel’s recommendations were in line with decisions adopted at its most recent sessions, others would weaken ICSC and the future of the international civil service. In particular, some recommendations seemed to be in direct contravention of ICSC’s statute. ICSC considered that the Panel’s report should have specifically addressed the ways in which ICSC should be strengthened to assist the Secretary-General and the Assembly in meeting their objective relative to the regulation and coordination of the conditions of service of the UN common system. In particular, ICSC objected to the Panel’s recommendations on the criteria and process for the selection of ICSC members; the length of their term of office; the frequency and length of ICSC sessions; and the recommendations on enhancing ICSC’s capacity to strengthen the international civil service.

**Note of Secretary-General.** The Secretary-General and the United Nations System Chief Executives Board for Coordination (CEB), in their comments on the Panel’s report, submitted in October [A/59/399], stated that the broader recommendations of the Panel were in line with the reform process under way in most of the organizations of the system and related to policies and practices that were, for the most part, being addressed in varying degrees of priority in the Commission’s work programme. In terms of these specific recommendations, they shared the Panel’s assessment that recent practices adopted by the Commission, including the establishment of working groups, had proved helpful in improving the consultative process, but they were disappointed that ICSC saw no need to formalize those improvements. Concerning the Panel’s recommendations on the criteria for the selection of ICSC members and the length of their term of office, the Secretary-General and CEB considered them crucial in reinforcing the Commission and its capacity to support the Assembly. The recommendation for limiting membership on the Commission to two terms should be acceptable to the Assembly, since it constituted an appropriate balance between continuity and the renewal and updating of expertise, experience and knowledge, as well as maximizing the independence of those who served. CEB welcomed the recommendation to limit the length of the annual sessions to 10 working days, and found the Panel’s recommendations for strengthening the international civil service constructive, responsive to, and supportive of, the reforms under way in most organizations of the system. They agreed especially on the need for greater focus on performance in the determination of pay and, among other things, in strengthening managerial capacity, including through the development of a senior management service, and shared the Panel’s concern about the erosion of some elements of conditions of employment. It welcomed the recommendation for a review of the Noblemaire principle. CEB made a number of recommendations for assisting the Assembly in its response to the recommendations of the Panel.

**CEB consideration.** The High-level Committee on Management (HLCM) of CEB, at its eighth session (Rome, 5-6 October) [CEB/2004/6], endorsed the Secretary-General’s comments on the Panel’s report (see above), and recommended to CEB members that they convey to ICSC its strong disappointment at ICSC’s comments on the Panel’s report and the expectation that the Assembly would respond positively to the Panel’s key recommendations.

CEB, at its second regular session of 2004 (New York, 29-30 October) [CEB/2004/2], endorsed HLCM’s conclusions.

**Remuneration issues.** Pursuant to the standing mandate in General Assembly resolutions 47/216 [YUN 1992, p. 1055] and 55/225 [YUN 2000, p. 1331], ICSC continued to review the relationship between the net remuneration of UN staff in the Professional and higher categories (grades P-1 to D-2) in New York, and that of the current comparator, the United States federal civil service employees in comparable positions in Washington, D.C. (referred to as the margin). In its 2004 report to the Assembly [A/59/30 (Vols. I & II)], ICSC noted that a net remuneration margin of 110.3 was forecast for 2004, based on existing grade equivalencies between United Nations and United States officials in comparable positions, as shown in annex V to its report. The actual year-to-year (2003-2004) gross increase for Washington D.C., taking into account the employment cost index and locality pay adjustment of the United States general schedule, was 4.42 per cent, effective 1 January 2004.
In view of the movement of the federal civil service salaries in the United States as from 1 January 2004, an adjustment of the UN common system’s scale of 1.88 per cent would be necessary in 2005 in order to maintain the base/floor scale in line with the comparator. ICSC therefore recommended that the base/floor salary for the professional and higher categories be increased to 1.88 per cent through standard consolidation procedures, on a no-loss/no-gain basis, with effect from 1 January 2003. ICSC decided to further study the possibility of lowering the level of the base/floor salary scale, with the remaining portion of salary provided through the post adjustment, to address the issue of duty stations that had no or very low post adjustment, as shown in annex VI to the report.

On the basis of the 1997 revised methodology for surveys of best prevailing conditions of employment at Headquarters and non-Headquarters duty stations [YUN 1997, p. 1453], ICSC conducted a survey of best prevailing conditions of service for General Service staff in Madrid, Spain, with a reference date of April 2004. The survey resulted in the recommendation of a new salary scale, as reproduced in annex VII to the ICSC report, and of revised rates for dependency allowances.

The Commission also reviewed the level of children’s and secondary dependant’s allowances (see p. 144).

Noblemaire principle

In 2004, ICSC undertook an in-depth review of the Noblemaire principle and its application [A/59/30 (Vol. I)]. The last review was conducted in 1995 [YUN 1995, p. 1404]. The Commission acknowledged that the Noblemaire principle, intended to ensure the competitiveness of UN compensation and recruitment from all Member States, including the one with the highest-paid civil service, had served the organizations well and should not be set aside. ICSC should be considering how to make it continue to serve the common system, but needed more facts and analyses before it could determine whether the current application of the principle was effective. Repeating its view that salaries alone should not be used to measure whether the United Nations was a competitive employer, ICSC was of the opinion that the appropriate means of doing so was to evaluate recruitment and retention in organizations to identify difficulties in attracting and retaining highly qualified staff. In that regard, organizations had not responded to its repeated requests for such analyses over the past 10 years. ICSC decided to report to the General Assembly that, in applying the Noblemaire principle, its practice of using the highest-paid national civil service, combined with a reference check with international organizations, was sound. ICSC had on its work programme for 2005-2006 a study to determine the highest-paid civil service, including a total comparison between the United Nations and the United States federal civil service.

Grade equivalencies

In 2004, ICSC was informed of a number of changes in the UN common system and the United States federal civil service, requiring a re-examination of the procedure for determining grade equivalencies. The Commission decided that a grade equivalency study should be conducted for the revised structure of the comparator’s Senior Executive Service, using two comparison methods: one which assigned a midpoint or average salary to all members of the United States Senior Executive Service positions; and the other which would link the common system grades with the comparator’s performance-based Senior Executive Service salaries. The results of the study should be reported to the Commission in 2005. A grade equivalency study should also be conducted for all other comparator pay systems in 2005.

Common staff assessment scale

In accordance with a 1997 recommendation of the United Nations Joint Staff Pension Board for a biennial update of the common staff assessment scale for all staff categories for determining pensionable remuneration levels, ICSC, at its fifty-ninth session, examined tax changes at the duty stations concerned between 2001 and 2003 [A/59/30 (Vol. I)]. Having found that average taxes had increased or decreased only minimally at the relevant income levels during that period, ICSC recommended continued application of the current common scale of staff assessment, which should be reviewed during the next comprehensive review of pensionable remuneration, scheduled for 2005-2006.

Other remuneration issues

Conditions of service and compensation for non-Secretariat officials

Judges of ICJ and the international tribunals

Report of Secretary-General. In September [A/C.5/59/2 & Corr.1], the Secretary-General submitted a report on the conditions of service and compensation of members of the International Court of Justice (ICJ), judges of the International Tribunal for the Former Yugoslavia (ICTY) and of
the International Criminal Tribunal for Rwanda (ICTR), and ad litem judges for both Tribunals. The emoluments of the members of the Court and the judges of the Tribunals had remained at $160,000 since January 1999, while the consumer price index for the Netherlands had increased by 17.4 per cent for the period between then and May 2004 and during the past two years the United States dollar had lost, on average, 26.8 per cent against the euro. Accordingly, for 2004, the floor rate was frozen at the 2003 level. While the application of the floor/ceiling mechanism at the 2003 rates provided significant protection against the weakening United States dollar vis-à-vis the euro, it did not provide total protection and, in real terms, the salaries of the judges lost 4.35 per cent. In addition, the base salaries of staff at the Under-Secretary-General level were increased by 6.3 per cent. Accordingly, the Secretary-General proposed that Member States consider increasing the annual emoluments of the members of the Court, the judges of ICTY and ICTR and the ad litem judges from $160,000 to $177,000 (10.6 per cent), and that the same floor/ceiling mechanism should continue to be applied to the emoluments of the judges.

Based on the proposed increase in the base salary of ICJ members, it was recommended that pensions in payment be increased by 10.6 per cent, effective 1 January 2005. The Secretary-General was of the view that consideration be given to applying the floor/ceiling mechanism to pensions in payment to former judges and their survivors residing in euro zone countries to protect the level of pensions from further erosion as a result of the devaluation of the United States dollar vis-à-vis the euro.

The Secretary-General also proposed that the level of the education grant, including that for disabled children, approved by the General Assembly in resolution 57/285 [YUN 2002, p. 1397], and effective from the school year in progress on 1 January 2003, should be extended, under the same conditions, to members of the Court and judges of the Tribunals, as well any decision taken at the Assembly’s fifty-ninth session to update the level of the grant and provisions regarding disabled children.

The Secretary-General proposed that no change be effected in the arrangements for ad hoc judges, and that any increase in the annual emoluments decided upon for ICJ members and the judges of the Tribunals be extended to the ad litem judges of the Tribunals, effective 1 January 2005.

The Secretary-General observed that, should the Assembly approve his proposals, the programme budget implications would amount to an estimated $2,320,600 for the 2004-2005 biennium, which would be reported in the context of the performance report.

**ACABQ report.** In November [A/59/557], ACABQ recommended that the annual salary of ICJ members be set at $177,000 effective 1 January 2005. The Secretary-General should be requested to make proposals for the future, taking into account the uncertainties with regard to the current system, as the cost of living did not fluctuate evenly at all places where the members of ICJ and judges of the Tribunals sat. ACABQ had no objection to the Secretary-General’s proposals regarding the education grant (including that for disabled children) and retirement benefits. ACABQ recommended further elaboration of the proposal to apply a floor/ceiling mechanism to pensions in payment to former judges and their survivors, including other options for protecting those pensions. The results of such a review should be presented to the Assembly at its resumed fifty-ninth (2005) session.

On 23 December, the Assembly deferred until its resumed fifty-ninth (2005) session, consideration of the Secretary-General’s report on the conditions of service and compensation for ICJ members and judges and ad litem judges of ICTY and ICTR and the related ACABQ report (decision 59/551).

**Members of the UN Administrative Tribunal Communication.** In a letter to the Chairman of the Fifth Committee [A/C.5/58/16], the President of the United Nations Administrative Tribunal (UNAT) requested the Secretary-General to take whatever steps were deemed appropriate to provide remuneration to the members of UNAT equivalent to that received by the judges of the Administrative Tribunal of the International Labour Organization (ILOAT).

**Note of Secretary-General.** In October [A/C.5/59/12], the Secretary-General noted that should the General Assembly decide that UNAT members were to be compensated in a manner comparable to ILOAT judges, it might wish to consider honoraria as follows: the UNAT member drafting a judgment would receive $1,000; and the two members signing the judgment would receive $250 for each case. On the assumption that implementation would take effect from 1 January 2005, additional requirements of $210,000 would arise under section 8, Legal Affairs, of the 2004-2005 programme budget. (For more information on UNAT, see p. 1445.)

On 23 December, the Assembly deferred consideration of the letter of the President of UNAT to the Chairman of the Fifth Committee and the
Secretary-General’s note on compensation for officials other than Secretariat officials: members of UNA, to its resumed fifty-ninth (2005) session (decision 59/351).

Dependency allowances

For its biennial review of dependency allowances for the Professional and higher categories, ICSC considered details of the percentage change required in the children’s and secondary dependants’ allowances based on changes in the tax abatement and social legislation for headquarters duty stations between 1 January 2002 and 1 January 2004 [A/59/30 (Vol. I)]. ICSC recommended to the General Assembly that, starting from the current review, those allowances should be determined on the basis of the value of tax abatements and social security payments in the countries of the eight headquarters duty stations, including Spain, and their current levels should remain unchanged. The current list of duty stations where the allowances were payable in local currencies should be maintained, pending a review of the methodology for determining them, and the dependency allowances payable to eligible common system staff be reduced by the amount of any direct payment received from Governments in respect of dependants.

Education grant

Based on the revised methodology for determining the education grant levels, endorsed by the General Assembly in resolution 52/216 [UN 1997, p. 1454], ICSC reviewed the operation of the grant. It had before it a related study by the Human Resources Network, which analysed 12,790 claims for the academic year 2002/03 in the 17 individual countries/currency areas in which the grant was applied.

ICSC recommended to the Assembly that, in areas where education-related expenses were incurred in the euro (Austria, Belgium, Denmark, France, Germany, Ireland, Italy, the Netherlands, Spain and Sweden), Swiss francs, the Japanese yen, pounds sterling and United States dollars (inside and outside the United States), the levels of maximum admissible expenses and the maximum grant payable to staff members at designated duty stations should be revised as shown in table 2 of annex IV to its report; and the amount of the special education grant for each disabled child should be equal to 100 per cent of the revised amounts of the maximum allowable expenses for the regular grant. For China, Indonesia, Romania and the Russian Federation, organizations would be allowed to reimburse 75 per cent of actual expenses up to and not exceeding the level of maximum admissible expenses in force for the United States dollar area inside the United States. All of the foregoing measures would apply as from the school year in progress on 1 January 2005.

Paternity leave

ICSC, in its review of policies designed to reconcile work and family life responsibilities, considered proposals for establishing the duration of paternity leave, separate conditions for that entitlement and measures for dealing with exceptional circumstances [A/59/30 (Vol. I)]. The Commission in 2002 had agreed that paternity leave of reasonable duration could be introduced in the common system under a uniform policy, superseding existing paternity leave entitlements in those organizations that had already introduced them. At its 2004 session, the Commission decided that up to four weeks paid leave for paternity purposes should be granted to staff at headquarters and family duty stations and up to eight weeks for staff at non-family duty stations or in exceptional circumstances, such as incapacity or death of a mother, inadequate medical facilities or complications encountered at the time of pregnancy. Those provisions should supersede existing paternity leave arrangements, and the administrative details covering the management of paternity leave should be determined at the level of the organizations. It also decided that the provisions for adoption leave should not be subsumed under the provisions for paternity leave.

Mobility and hardship allowance

ICSC, in its ongoing review of the mobility and hardship scheme, approved in 1989 [UN 1989, p. 885] to compensate staff for service at difficult duty stations and to encourage operational mobility, was presented with a number of options for delinking the scheme from the annual adjustment procedure applied to the base/floor scale, in response to its request [UN 2003, p. 1499] to its secretariat to present alternative approaches to compensation for mobility and hardship in the context of the ongoing review of pay and bene-
fits. ICSC noted that, while cognizant of the General Assembly’s concern at the increasing costs generated by linking the allowance to the base/floor salary scale, it could not consider the linkage in isolation, but together with all aspects of the mobility and hardship scheme and organizations’ mobility and rotation policies and their effects on career development before it could take a meaningful decision regarding linkage. The Commission therefore decided that the mobility and hardship scheme should be examined in the context of the pay and benefits reform. In that context, it was of the opinion that the primary incentive for staff mobility was career advancement and that the management of the mobility scheme should be approached differently from the scheme that compensated hardship. Although hardship had been equated with mobility in the past, they were not equal elements, nor were they linked, contrary to the organizations’ belief.

The Commission decided to separate the mobility element from the hardship element; delink both the mobility and hardship allowances from the base/floor salary scale; defer the implementation of those two decisions until a new system had been put into place; and establish a working group to develop options for compensating staff for service in hardship duty stations and for encouraging mobility, and to estimate the cost of those options, and submit recommendations to the Commission at its sixtieth (2005) session.

Lump-sum payments for relocation grant

**CEB action.** The High-level Committee on Management (HLCM) of CEB, at its eighth session (Rome, 5-6 October) [CEB/2004/6], considered the findings of the review of the pilot phase of the relocation grant, which confirmed that, overall, the lump sum scheme had proved to be an effective new approach to entitlement design and administration for organizations and staff alike. It had contributed to organizational effectiveness in meeting the critical challenge of moving staff quickly and efficiently to new duty stations; enhanced staff satisfaction and morale; met with positive feedback from human resources administrators and practitioners; and yielded a favourable cost-benefit ratio, particularly if indirect cost savings and intangible benefits were added to the direct cost calculations. HLCM endorsed the lump sum approach as an option for staff in those organizations who felt ready for its formal introduction, and encouraged each agency to report in 2005 to the Human Resources Network on its decisions and experience within their specific organizational context.

**Hazard pay**

Pursuant to General Assembly resolution 58/231 [YUN 2003, p. 1021], ICSC reviewed the terms for granting hazard pay—payment for employment under conditions where war or active hostilities prevailed and the evacuation of families and non-essential staff had taken place—for local staff. The Commission decided that the level of hazard pay granted to locally recruited staff should be increased to 25 per cent of the midpoint of the local salary scale and that the decision be implemented with effect from 1 June 2004.

**Pensionable remuneration**

As requested by the General Assembly in resolution 51/217 [YUN 1996, p. 1331], ICSC, in cooperation with the United Nations Joint Staff Pension Fund (UNJSPF), undertook a comprehensive review, originally scheduled for 2002, of the methodologies for determining the pensionable remuneration of staff in the Professional and higher categories, and for the adjustment of pensionable remuneration between comprehensive reviews [A/59/30(Vol.1)]. The Chief Executive Officer of the Pension Board presented specific modalities for the review and a detailed timetable. The items considered by the Pension Board included: a non-pensionable component; double taxation; reverse application of the special index for pensioners (at high-tax locations); and the impact of steep devaluation of local currency and/or high inflation. In addition, the Board considered that income replacement ratios, United States/United Nations pension benefit comparisons and the impact of the pay and benefits review on pension benefits also needed close attention in the review. The Board proposed a collaborative work schedule extending from the autumn and winter of 2004-2005 to the completion of joint ICSC/Pension Board recommendations to the Assembly in 2006. In the context of the review, the Board recommended a formal joint ICSC-Pension Board Working Group and a Contact Group to facilitate communication prior to the establishment of the Working Group.

ICSC concurred with the Pension Board’s proposals with regard to the terms of reference of the Working Group and modalities for cooperation.

**Other staff matters**

**Senior Management Service**

**CEB action.** The High-level Committee on Management (HLCM) of CEB, at its seventh ses-
sion (London, 8-9 March) [CEB/2004/5], considered the report of the Human Resources Network on the establishment of a Senior Management Service. The Service was intended to build managerial capacity throughout the UN system in order to improve organizational performance, and contribute to the creation of a common managerial culture. It would complement existing management development programmes in organizations and would not diminish the prerogative of executive heads to create posts or appoint staff. The implementation of the Service was ongoing and could be extended to include, among other things, the development of an assessment approach for movement of staff into and out of the Service, and models/frameworks for performance accountability contracts and other tools for organizations. HLCM recommended that CEB approve the establishment of a Senior Management Service in the UN common system. It requested all organizations to establish and implement such a service; the Human Resources Network to continue to refine the competency map and to develop a learning framework for a leadership and management development programme together with the United Nations System Staff College; and the CEB’s secretariat to follow up and provide support to the creation of the Senior Management Service.

CEB, at its first regular session of 2004 (Vienna, 2-3 April) [CEB/2004/1] approved HLCM’s recommendation to establish a Senior Management Service.

At its eighth session (Rome, 5-6 October) [CEB/2004/6], HLCM received an update from CEB’s secretariat on the establishment of the Senior Management Service. A working group of the Human Resources Network was collaborating with the UN Staff System College to prepare the bid proposals for the design and delivery of the leadership development programme. An evaluation committee comprising the Staff College and Human Resources Network representatives would review the proposals received and make the final selection. It was hoped that the programme would be ready for delivery in the first half of 2005.

Personnel policies

Human resources management

The General Assembly, by decision 58/564 of 8 April, deferred to its fifty-ninth (2004) session consideration of the Secretary-General’s reports on amendments to the 100 and 200 series of Staff Rules [YUN 2003, p. 1402] and on staff composition in 2003 [ibid., p. 1446]; the list of staff of the Secretariat for 2003 [A/C.5/58/L.13]; and notes by the Secretary-General transmitting the report of the Office of Internal Oversight Services (OIOS) on possible discrimination due to nationality, race, sex, religion and language in recruitment, promotion and placement and the comments of the Joint Inspection Unit (JIU) thereon [YUN 2002, p. 1406].

At its fifty-ninth session, in addition to those reports, the Assembly had before it the Secretary-General’s reports on measures to prevent discrimination on the basis of nationality, race, sex, religion and language in the United Nations [A/59/211]; amendments to the Staff Rules [A/59/213 & Add.1]; consultants and individual contractors [A/59/271]; the employment of retired former staff [A/59/222]; human resources management reform [A/59/263]; new contractual arrangements [A/59/263/Add.1]; proposals to improve gender distribution in the Secretariat [A/59/263/Add.2]; improving the equitable geographic representation in the Secretariat to include the development of a more robust capability in the Office of Human Resources Management (OHRM) to enable it to reduce the level of underrepresentation and the number of unrepresented Member States [A/59/264]; staffing of field missions, including the use of the 300 and 100 series of appointments (see p. 105); the composition of the Secretariat [A/59/299]; and the improvement of the status of women in the UN system [A/59/357] and the related ACABQ report [A/59/446]. It also had before it notes by the Secretary-General transmitting OIOS reports on the audit of the policies and procedures for recruiting Department of Peacekeeping Operations (DPKO) staff (see p. 109), the follow-up audit of DPKO policies and procedures for recruiting international civilian staff for field missions (see p. 104), the impact of human resources management reform [A/59/253], as well as a study on the availability in local labour markets of the skills for which international recruitment for posts in the General Service category took place [A/59/388], and the views of the staff representatives of the Secretariat [A/C.5/59/4] and a JIU report on the management review of the Office of the High Commissioner for Human Rights (see p. 650) and the comments of the Secretary-General thereon (see p. 651).

Significant progress was made in bringing about the changes envisioned in the integrated reform programme based on 10 key building blocks: human resources planning; streamlined rules and procedures; recruitment, placement and promotion; mobility; competencies and continuous learning; performance management; career development; conditions of service; contractual arrangements; and administration of justice. Follow-up activities were carried out on the actions set out in the Secretary-General’s 2002 report that fell within the human resources management reform programme, including action on conditions of service in the field, expanding opportunities for General Service staff and HIV/AIDS.

According to the Secretary-General, major achievements included the introduction of a system of human resources planning providing workforce profiles and trends; streamlining of policies and rules and the launching of an electronic Human Resources Handbook; a new staff selection system, which, with its supporting electronic tool, Galaxy e-staffing, had speeded up the selection process, while improving efficiency and transparency; a policy on organizational mobility aimed at developing a more versatile, multiskilled and experienced international civil service; definition and strengthening of organizational core values and core and managerial competencies; promotion of continuous learning and strengthening of core organizational competencies, which included the development of a plan for enhancing opportunities for the General Service staff; an enhanced performance appraisal system; human resources monitoring; and greater attention to work and life issues.

Developing and implementing the reform initiatives had presented considerable challenges. A key area remaining to be addressed was that of contractual arrangements, for which the Secretary-General had made a number of proposals to the General Assembly (see below). Other areas needing attention were the continued disparity in conditions of service among Secretariat staff and those of other organizations serving in the field and the limited career prospects for General Service staff.

Human resources management reform necessitated a paradigm shift in underlying principles, attitudes and work methods, making some of the initiatives difficult to reconcile with the priorities of staff, managers and Member States. The reform was also affected by operational challenges, such as the lack of dedicated reform, and the difficulty of consulting staff representatives at a time when the consultative machinery was not fully operational.

The Organization’s human resources management programme would continue to focus on ensuring that its policies and practices were fully in line with operational needs and worldwide standards of good practice. Special emphasis would be placed, in the coming years, on the implementation of the managed mobility policy; the strengthening of the staff selection system and performance management; further enhancement of management capacity; increased monitoring, particularly of delegated authority; improving OHRM’s client orientation and communication with staff; and the improvement of its electronic tools and the introduction of new ones. There would be continuing close cooperation with other common system organizations and ICSC in developing and enhancing a competitive package of conditions of service.

On 1 October [A/C.5/59/4], the Secretary-General transmitted to the Fifth Committee the views of the staff representatives of the UN Secretariat.

**OIOS report.** As requested by the General Assembly in resolution 57/305 [YUN 2003, p. 1440], the Secretary-General submitted, in September [A/59/235], an OIOS report on the impact of human resources management reform. OIOS found that, although the reform had achieved significant success to date, including a decrease in the time to fill a vacancy and greater organizational focus on creating opportunities for staff mobility and career development, its potential impact was not yet fully realized. Though OHRM’s initiatives had started a cultural change, staff and managers were not fully committed to the nature, scope and purpose of reform. As a result, there was inconsistent prioritization of responsibilities and accountability for people management. OIOS recommended that OHRM address that lack of confidence in the reform initiatives. An organizational focus on effective performance management and strategic planning, rather than compliance, would enhance the ultimate success of the OHRM’s integrated policy framework. OHRM also needed to improve its ability to measure and monitor human resources indicators. Although the new staff selection system had significantly enhanced opportunities to apply and enlarge the pool of applicants, neither the quality of candidates nor career prospects for junior staff had improved. The effectiveness of central review bodies was diminished by a lack of information relevant to reviewing evaluations and proposals. The new mobility policy had yet to result in reduced vacancy rates at duty stations with chronic vacancy issues. The organizational culture needed to shift from a compliance perspective to promulgating mobility strategies that satisfied...
operational requirements and benefitted staff careers. OIOS recommendations included specific suggestions designed to build upon the policies, tools and infrastructure currently in place. In addition to proposals for shortening the recruitment process, developing proactive recruiting strategies, increasing capacity to assess operational needs and tracking indicators at the department/office and individual levels, OIOS suggested steps to increase staff and manager commitment to the most challenging aspects of reform: mobility and performance management.

**ACABQ report.** In an October report [A/59/446], ACABQ said that the Secretary-General’s report on human resources management reform was rather general and lacking in analysis, particularly with regard to progress achieved in implementation, problems encountered and measures planned to redress them. That was particularly the case with the issue of compliance. Not enough attention was given to setting criteria to monitor the quality of decisions made by programme managers rather than merely quantifying mechanical adherence to procedures as measured by raw statistics. In that connection, ACABQ stressed the importance of monitoring and recalled that the Assembly, in resolution 57/305, had endorsed the development of a more robust monitoring capacity in OHRM. The Committee trusted that the sample monitoring template and a sample human resources action plan provided at its request would streamline the reporting process and make it more effective. The Committee was of the opinion that, to succeed, such broad human resources management reforms had to be accompanied by close staff/management cooperation and consultation. Noting that relations between the two over human resources management had broken down somewhat, ACABQ encouraged the Secretary-General and OHRM to take a fresh look at ways to involve staff meaningfully so as to take into account their concerns, and trusted that management and staff would make concerted efforts to work together constructively in the best interest of the Organization.

The Committee requested that statistics on the length of the placement process be quantified as a basis for analysing and correcting problems. ACABQ regretted that more progress had not been made in screening the increased number of applications for vacant positions since the introduction of the Galaxy system. It emphasized that, unless such problems were resolved, the effectiveness of Galaxy would be compromised and its cost-effectiveness called into question. It recommended approval of the Secretary-General’s proposal to further shorten vacancy advertising from 60 to 45 days, with the understanding that paper copies of vacancy announcements would also be provided, and expected the widest possible timely circulation of those announcements so as to attract qualified personnel from unrepresented or underrepresented countries. Effective implementation of the roster management module in Galaxy, including automatic electronic notification of programme managers concerning eligible roster candidates, could shorten the recruitment timeline. As to succession planning, not enough was being done to initiate the process for filling vacancies in a timely manner and thus reduce the long period that posts remained vacant. For internal candidates, improvement had to be made to ensure the timely release of the successful candidate to his or her new function.

With regard to the examination for recruitment from the General Service to the Professional category (G-P) and the national competitive recruitment examination, ACABQ noted that the limited number of posts available pointed to a larger problem, namely, the very small number of entry level (P-1/P-2) Professional posts in the Secretariat. To resolve the problem, the issue of redressing the imbalance in the grading pyramid would first need to be addressed, and the G-P roster used to help fill posts at duty stations with chronically high vacancy rates. ACABQ called upon the Secretariat to review the efficacy of the procedure of having staff members serve on the examinations boards on a voluntary basis outside of their regular functions.

ACABQ encouraged the Secretary-General to continue his efforts towards achieving gender parity, including at the Under-Secretary-General and Assistant Secretary-General levels. Care had to be taken, however, to ensure that such efforts did not unduly affect the timely filling of vacancies and were in conformity with Article 101, paragraph 3, of the UN Charter.

The Committee also considered the Secretary-General’s comprehensive report on the staffing for field missions, including the use of 300 and 100 series appointments (see p. 105), and made a number of recommendations (see p. 106).

**GENERAL ASSEMBLY ACTION**

On 23 December [meeting 76], the General Assembly, on the recommendation of the Fifth Committee [A/59/650], adopted resolution 59/266 without vote [agenda item 14].

**Human resources management**

The General Assembly,

Recalling Articles 8, 97, 100 and 101 of the Charter of the United Nations,

Recalling also its resolutions 49/222 A and B of 23 December 1994 and 20 July 1995, 51/226 of 3 April...
Human resources management reform

1. Reaffirms the principles set out in sections I and II of its resolution 55/221 and section I of its resolution 55/258 concerning human resources management and the role of the Office of Human Resources Management of the Secretariat;

2. Affirms that the Office of Human Resources Management shall remain the central authority within the Secretariat for the interpretation and enforcement of the Staff Regulations and Rules, without prejudice to regulation 12.3;

3. Stresses the crucial importance of a transparent and timely flow of information from the Secretariat to Member States in matters related to human resources management reform;

4. Requests the Secretary-General in future reports on mandated human resources management reform to include full information on achievements and the impact of its implementation;

5. Stresses that any proposals for changes in the building blocks of reform should be accompanied by transparent information for Member States on those changes;

6. Recalls section VII of its resolution 55/258, in which the General Assembly, inter alia, requested the Secretary-General to ensure that well-designed mechanisms of accountability are put in place before delegating authority to programme managers;

7. Stresses the need to ensure that adequate mechanisms are in place to ensure the accountability of programme managers for the implementation of human resources policies and the achievement of objectives contained in human resources action plans;

8. Emphasizes that effective accountability mechanisms are an integral and essential element of human resources management reform, and requests the Secretary-General to strengthen such mechanisms throughout the Organization;

9. Requests the Secretary-General to continue to improve the effectiveness of human resources action plans for achieving the human resources objectives of the Organization, including with respect to equitable geographical distribution and gender representation, as mandated by the General Assembly, and further requests him to report thereon to the Assembly at its sixty-first session;

10. Also requests the Secretary-General to reconstitute the Accountability Panel so as to strengthen the internal system of accountability, including with respect to human resources policies and objectives, and to ensure that the Panel has the authority necessary to hold programme managers accountable for their performance in achieving the objectives contained in human resources action plans;

11. Stresses that the staff selection system must provide transparency and fairness;

12. Emphasizes the importance of the participation of staff representatives in the work of the central review bodies, and requests the Secretary-General and invites staff representatives to engage in a consultative process with a view to resuming the participation of staff representatives in the work of the central review bodies;

13. Requests the Secretary-General to make every effort to ensure that the central review bodies discharge fully and effectively their roles in the staff selection system, as foreseen in annex II to the report of the Secretary-General entitled “Human resources management reform” and subsequently approved by the General Assembly in its resolution 55/258, including by addressing the deficiencies identified in the report of the Office of Internal Oversight Services, and to make proposals to amend the terms of reference of the central review bodies as necessary in the light of experience;

14. Recalls its request to the Secretary-General contained in section II, paragraph 2, of its resolution 55/226, as reiterated in section IV, paragraph 10, of its resolution 55/221, section VII of its resolution 55/258 and section III of its resolution 55/255, to enhance managerial accountability with respect to human resources management decisions, including imposing sanctions in cases of demonstrated mismanagement of staff and wilful neglect of, or disregard for, established rules and procedures, while safeguarding the right of due process of all staff members, including managers, and requests the Secretary-General to report comprehensively thereon to it at its sixty-first session;

15. Requests the Secretary-General to continue his efforts, as described in paragraphs 130 to 132 of his report, to report to the General Assembly on the experiences gained in the implementation of such measures and to make additional proposals for action by the Assembly as appropriate;

16. Notes in concern paragraph 91 of the report of the Secretary-General, and requests the Secretary-General to reassess the situation:

Recruitment and placement

1. Requests the Secretary-General to ensure that the highest standards of efficiency, competence and integrity serve as the paramount consideration in the employment of staff, with due regard for the principle of equitable geographical distribution, in accordance with Article 101, paragraph 3, of the Charter of the United Nations;

2. Recognizes the value of a transparent process of recruitment, placement and promotion in the Organization;

3. Notes the proposal of the Secretary-General, on the recommendation of the Office of Internal Oversight Services, to reduce the time required for advertising a vacancy from 60 to 45 days, and decides to revert to this issue in the context of a comprehensive study addressing all factors contributing to the process of selection, recruitment and placement at its sixty-first session;

4. Requests the Secretary-General to continue his efforts to reduce the period required to fill vacancies by addressing all factors contributing to delays in the process of selection, recruitment and placement and to re-
port thereon to the General Assembly at its sixty-first session;
5. Also requests the Secretary-General to continue to maintain a system of circulating printed copies of all vacancy announcements, in accordance with its resolution 57/305, for distribution to all delegations, except those which indicate otherwise;
6. Reaffirms the need to respect the equality of each of the two working languages of the Secretariat, reaffirms also the use of additional working languages in specific duty stations as mandated, and in this regard requests the Secretary-General to ensure that vacancy announcements specify the need for either of the working languages of the Secretariat unless the functions of the post require a specific working language;
7. Requests the Secretary-General to report on the definition of language posts to the General Assembly at its sixty-first session in the context of his report on the composition of the Secretariat;
8. Expresses its concern over the deficiencies in the recruitment of international civilian staff in peacekeeping missions as referred to by the Office of Internal Oversight Services in its report, and requests the Secretary-General to make efforts to rectify the situation and to report thereon to the General Assembly at its sixty-first session;
9. Notes with concern the range of weaknesses related to the Galaxy support tool identified by the Office of Internal Oversight Services in its report;
10. Requests the Secretary-General to fully develop the Galaxy support tool and make it more efficient and user-friendly for the purpose of efficient recruitment, as embodied in Article 101 of the Charter, and to ensure that all applicants are informed about the final result of their applications in a timely fashion;
11. Also requests the Secretary-General to ensure the conversion of all printed applications into electronic form upon their submission for inclusion in the Galaxy system and to ensure that those applications are considered in the filling of advertised vacancies, and to report thereon to the General Assembly at its sixty-first session;
12. Further requests the Secretary-General to continue to develop screening mechanisms that ensure that all applications submitted in the Galaxy system are treated fairly, that well-qualified candidates are given due consideration and that keywords outside of the vacancy announcements are not used to exclude well-qualified candidates;
13. Requests the Secretary-General to continue to take the steps necessary to ensure that Galaxy is available in both of the working languages of the Organization;
14. Reiterates its request to the Secretary-General to inform Member States monthly, through the Internet, through the United Nations public web site and, upon request, in printed form of appointments made;

III National competitive examination and General Service to Professional examination

1. Reiterates its decision that the recruitment of qualified staff from the General Service to the Professional category should be limited to the P-1 and P-2 levels and should be permitted for up to 10 per cent of the appointments at those levels;
2. Authorizes the Secretary-General to appoint to posts not subject to geographical distribution at the P-2 level up to seven successful candidates from the General Service to Professional examination each year;
3. Also authorizes the Secretary-General to appoint to P-2 posts in duty stations with chronically high vacancy rates up to three successful candidates from the General Service to Professional examination each year when no successful candidates from the national competitive examination are available;
4. Requests the Secretary-General to make special efforts to appoint to the relevant vacant posts in the Secretariat successful candidates from unrepresented and underrepresented Member States who have passed the national competitive examination;
5. Also requests the Secretary-General to ensure the expeditious placement in appropriate posts of as many candidates as feasible who have been placed on the roster following the successful completion of national competitive examinations;
6. Reiterates section II, paragraph 43, of its resolution 57/305, and requests the Secretary-General to apply strictly the relevant administrative instruction for recruitment at the P-3 level and to report thereon to the General Assembly at its sixty-first session;

IV Measures to improve equitable geographical distribution

1. Notes with appreciation the progress made since 1994 in reducing the number of countries that are unrepresented and underrepresented;
2. Requests the Secretary-General to continue his ongoing efforts to attain equitable geographical distribution in the Secretariat and to ensure as wide a geographical distribution of staff as possible in all main departments and offices of the Secretariat;
3. Welcomes the continuing efforts of the Secretary-General to improve the situation of unrepresented and underrepresented Member States and of those in danger of becoming underrepresented under the system of desirable ranges;
4. Notes the low percentage of appointments of staff from unrepresented and underrepresented Member States to posts subject to geographical distribution in 2004;
5. Notes with concern the decline in the proportion of nationals of developing countries in posts at the senior and policy-making levels of the Secretariat;
6. Reiterates its request that the Secretary-General take all measures necessary to ensure, at the senior and policy-making levels of the Secretariat, equitable representation of Member States, especially those with inadequate representation at those levels, including unrepresented and underrepresented States, in particular developing countries, in accordance with the relevant resolutions of the General Assembly, and to continue to include relevant information thereon in all future reports on the composition of the Secretariat;
7. Notes that the system of geographic ranges was designed to apply to countries rather than regions or groups;
8. Recalls section II, paragraph 30, of its resolution 57/305, and reiterates its request that the Secretary-General include an analysis of the level of under-
representation in his next report on the composition of the Secretariat;

9. Authorizes the Secretary-General, for a trial period of two years during which the procedures would be fully developed, to establish a special roster of candidates from unrepresented and underrepresented Member States, as proposed in paragraphs 21 and 22 of his report, for a number of posts at the P-4 and P-5 levels only, until such Member States are within the desirable ranges, and requests the Secretary-General to report thereon to the General Assembly at its sixty-first session;

10. Welcomes the practice of conducting recruitment missions to unrepresented and underrepresented Member States, and requests the Secretary-General to intensify those efforts in order to increase the number of recruits from those Member States after going through the regular recruitment procedures for advertised vacancies;

11. Reaffirms its request contained in section II, paragraph 29, of its resolution 57/305 that the Secretary-General set specific targets as well as develop a programme for achieving equitable geographical representation;

12. Notes the number of overrepresented countries under the system of desirable ranges, and requests the Secretary-General to provide the General Assembly with analytical information on this issue in the framework of his report on the composition of the Secretariat;

13. Reaffirms that, in accordance with its resolutions 41/206 B of 11 December 1986, 53/221, 55/258 and 57/305, no post should be considered the exclusive preserve of any Member State or group of States, including at the highest levels, and reiterates its request that the Secretary-General ensure that, as a general rule, no national of a Member State succeeds a national of that State in a senior post and that there is no monopoly on senior posts by nationals of any State or group of States, and to report thereon to the General Assembly at its sixty-first session;

V

System of equitable geographical distribution

1. Reaffirms its request that the Secretary-General, as approved in its resolution 42/220 A of 21 December 1987, fully reach the level of posts subject to geographical distribution, which currently stands at 2,783;

2. Also reaffirms its request that the Secretary-General submit the report required in section IX, paragraph 2, of its resolution 57/305, which will include an assessment of the issues related to possible changes in the number of posts subject to the system of geographical distribution, and requests the Secretary-General to submit the report to the General Assembly by the second part of its resumed fifty-ninth session;

3. Recalls section IX, paragraph 1, of its resolution 57/305, and decides to revert to this subject at its sixty-first session;

4. Requests the Board of Auditors to conduct an audit of the implementation of the principle of equitable geographical representation in the Secretariat at all levels, as set out in relevant resolutions of the General Assembly, and to verify the application of established measures of transparency and accountability at all levels of the selection, recruitment and placement process in compliance with relevant resolutions of the Assembly;

5. Also requests the Board of Auditors to submit its findings and recommendations to the General Assembly at its sixty-first session for consideration and action;

VI

Gender representation

1. Reaffirms the goal of 50/50 gender distribution in all categories of posts within the United Nations system, especially at the senior and policy-making levels, with full respect for the principle of equitable geographical distribution, in conformity with Article 101 of the Charter, and regrets that progress towards attaining this goal has been slow;

2. Expresses concern at the continuing low proportion of women in the Secretariat, in particular the low proportion among them of women from developing countries, especially at the senior levels, and stresses that the continuing lack of representation or underrepresentation of women from certain countries, in particular from developing countries, should be taken into account and that those women should be accorded equal opportunities in the recruitment process, in full conformity with relevant resolutions;

3. Notes with concern that, in posts subject to the system of desirable ranges, 20 women from developing countries were recruited between 1 July 2003 and 30 June 2004 among the 86 women appointed during that period;

4. Requests the Secretary-General to increase his efforts to attain and monitor the goal of gender parity in the Secretariat, in particular at senior levels, and in this context to ensure that women, especially those from developing countries and countries with economies in transition, are appropriately represented within the Secretariat, and to report thereon to the General Assembly at its sixty-first session;

5. Also requests the Secretary-General, in the context of attaining this goal, to develop and implement recruitment targets, time frames for meeting those targets and accountability measures;

6. Further requests the Secretary-General to clarify the role of departmental focal points, including in the context of the staff selection system, and their participation in the development and monitoring of the departmental human resource action plans;

7. Encourages Member States to support the efforts of the Secretary-General by identifying more women candidates and encouraging them to apply for appointment to positions in the Secretariat and by creating awareness among their nationals, particularly women, of vacancies in the Secretariat;

VII

Post structure

Requests the Secretary-General to make proposals to the General Assembly, as appropriate, to reform the post structure with a view to considering a possible increase in the proportion of P-2 and P-3 posts, taking advantage of the opportunity provided by the retirement of many senior staff in the coming years;

VIII

Mobility

1. Reaffirms section V of its resolution 55/258, as well as the segment on mobility contained in section II.
of its resolution 57/305, and notes its previous requests to the Secretary-General in this regard;
2. *Stresses*, in this regard, that when implementing mobility policies, the Secretary-General should ensure that:
   (a) Mobility does not negatively affect the continuity and the quality of services and the institutional memory and capacity of the Organization;
   (b) Mobility does not lead to the transfer or abolition of posts as a result of vacancies;
   (c) Mobility has a positive impact in filling existing high vacancy rates at some United Nations duty stations and regional commissions;
   (d) There is a clear differentiation between mobility within duty stations and mobility across duty stations and that the latter is a more important factor in career development;
   (e) Mobility is encouraged for all posts in the Professional and higher categories;
3. *Notes* that the implementation of mobility policies, while recognizing their anticipated positive effects, may also give rise to problems and challenges that should be addressed;
4. *Requests* the Secretary-General to take the steps necessary to ensure that mobility is not used as an instrument of coercion against staff and to ensure that appropriate monitoring and accountability measures are in place;
5. *Notes* the measures to facilitate the implementation of mobility policies set out in paragraph 85 of the report of the Secretary-General, and requests the Secretary-General to develop a strategic plan with indicators, benchmarks, time lines and clear criteria for the implementation of mobility policies and to report thereon, including with information on the financial implications, to the General Assembly at its sixty-first session for its consideration and action in order to solve any problems;
6. *Requests* the Secretary-General to continue to consult with staff in the development of mobility policies;
7. *Requests* the International Civil Service Commission, within its mandate, to keep under review the question of mobility in the United Nations common system, including its implications for career development, and to make recommendations to the General Assembly, as appropriate, in the context of its annual reports;
8. *Requests* the Secretary-General to consider the use of incentives with a view to encouraging staff to move to duty stations with chronically high vacancy rates;
9. *Reiterates* section II, paragraph 51, of its resolution 57/305, in which the General Assembly encouraged the Secretary-General to expedite, as appropriate, agreements between the Secretariat and the United Nations funds and programmes and the specialized agencies for all staff levels in relation to mobility, and requests the Secretary-General to report thereon to the Assembly at its sixty-first session;
10. *Invites* host countries, as appropriate, to review their policies for granting work permits to spouses of United Nations staff;
11. *Invites* the Secretary-General to continue to explore ways of assisting spouses to find employment opportunities, in consultation with host Governments where necessary, including by taking measures to expedite the issuance of work permits;
12. *Acknowledges* that mobility needs to be supported through greater efforts to improve conditions of life and work at the various duty stations;

**IX**

**Contractual arrangements**

*Takes note* of the report of the Secretary-General on contractual arrangements, and decides to revert to the issue at its sixty-sixth session in the context of its consideration of the report of the International Civil Service Commission on contractual arrangements with a view to taking a decision;

**X**

**Use of appointments under the 100 and 300 series of the Staff Rules in the staffing of field missions**

1. *Decides* to continue to suspend the application of the four-year maximum limit for appointments of limited duration under the 300 series of the Staff Rules in peacekeeping operations until 30 June 2005;
2. *Authorizes* the Secretary-General, bearing in mind paragraph 1 above, to reappoint under the 100 series of the Staff Rules those mission staff whose service under 300-series contracts has reached the four-year limit by 31 December 2004 or later, pending a decision by the General Assembly, provided that their functions have been reviewed and found necessary and their performance has been confirmed as fully satisfactory, and requests him to report thereon to the General Assembly at the second part of its resumed fifty-ninth session;
3. *Requests* the Secretary-General to submit proposals for which functions are relevant for reappointment under the 100 series for consideration and action by the General Assembly at the second part of its resumed fifty-ninth session;
4. *Also requests* the Secretary-General to continue the practice of using 300 series contracts as the primary instrument for the appointment of new mission staff, pending a decision by the General Assembly on the report requested above;
5. *Requests* the International Civil Service Commission, as a matter of high priority, to review the contractual instruments available for the employment of common system staff in the field, including the practice of conversion to the 100 series from other contractual arrangements, and requests the Commission to present an analysis to the General Assembly at its sixty-first session of the desirability and feasibility of harmonizing conditions of service in the field, including at non-family duty stations, and to provide full details of the financial implications;
6. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a comprehensive report with proposals for conditions of field service addressing, inter alia, the feasibility and desirability of conditions of service distinct to peacekeeping operations and the feasibility and desirability of harmonized conditions of field service in the United Nations;
7. *Recognizes* the authority of the Secretary-General to assign and deploy staff according to the operational needs of the Organization, and requests him to limit the assignment of staff, in particular General Service staff, from Headquarters and other established offices to field missions unless required by operational necessity or the unavailability of requisite skills in local labour markets;
XI
Consultants and individual contractors
1. Endorses the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraphs 59 to 61 of its report, and requests the Secretary-General to report to the General Assembly at its sixty-first session on the use of consultants and individual contractors, including actions taken to improve the monitoring capacity of the Office of Human Resources Management on this issue;
2. Reaffirms that consultants shall not perform functions of staff members of the Organization or have any representative or supervisory responsibility;
3. Reiterates that the Secretary-General should refrain from using consultants to carry out functions assigned to established posts and that consultants should be hired only in strict accordance with existing rules and relevant General Assembly resolutions and where expertise is not available within the Organization;
4. Also reiterates that in areas where consultants are frequently hired for a period of more than one year, the Secretary-General should submit proposals, where necessary, for the establishment of posts and should report thereon to the General Assembly at its sixty-first session;

XII
Employment of retired former staff
1. Notes with concern the increased use of retired former staff members in substantive areas and in decision-making positions;
2. Also notes with concern that the lack of proper succession planning has a negative impact on the rejuvenation of the Organization and on attaining core human resources targets;
3. Endorses the views expressed by the Advisory Committee on Administrative and Budgetary Questions in paragraphs 63 and 65 of its report;
4. Reiterates its request to the Secretary-General to ensure that the employment of retired former staff has no adverse effects on the career planning and mobility of other United Nations staff members;
5. Requests the Secretary-General to have recourse to the employment of retired former staff only if the operational requirements of the Organization cannot be met by existing staff;
6. Stresses that the hiring of retired former staff should be on an exceptional basis, and in this regard encourages the Secretary-General to fill vacant posts at senior and decision-making levels through the established staff selection process;
7. Requests the Secretary-General to report to the General Assembly at its sixty-first session on the use of retired former staff and to develop clear criteria for the selection of the retired former staff, in particular in the Professional category;

XIII
Study of availability of skills in local labour markets
Having considered the report of the Office of Internal Oversight Services on the availability in local labour markets of the skills for which international recruitment for General Service staff takes place,
1. Requests the Secretary-General to conduct a study on the availability of skills in local labour markets for which international recruitment for General Service staff takes place and, drawing on the findings, to reassess the determination made in 1973 that recruitment from outside the area of the duty station is necessary to staff the text-processing units, bearing in mind the need for the highest standards of quality relevant to the language function, and to report to the General Assembly at its sixtieth session;
2. Decides to revert to its consideration of the issue and of the report of the Office of Internal Oversight Services at its sixtieth session in the context of its consideration of the report requested in paragraph 1 above;

XIV
Office of the United Nations High Commissioner for Human Rights
1. Welcomes the report of the Joint Inspection Unit on its management review of the Office of the United Nations High Commissioner for Human Rights, and notes the observations of the Secretary-General in the context of the agenda item entitled “Administration of justice at the United Nations” during the first part of its resumed fifty-ninth session;
2. Emphasizes that recruitment in the Office of the United Nations High Commissioner for Human Rights should be done in full consultation with and under the guidance of the Office of Human Resources Management, consistent with the provisions of the present resolution and other relevant legislative mandates;
3. Notes that the Joint Inspection Unit will submit a follow-up report on this issue to the General Assembly at its sixty-first session for consideration under relevant agenda items;

XV
Measures to prevent discrimination
1. Takes note of the report of the Secretary-General on measures to prevent discrimination on the basis of nationality, race, gender, religion or language in the United Nations, and requests him to develop further measures, as necessary, in cooperation with the Office of Internal Oversight Services and the Joint Inspection Unit, to prevent such discrimination, in accordance with the principles of the Charter and the provisions of the Staff Regulations and Rules of the United Nations, and to report thereon to the General Assembly at its sixty-first session;
2. Decides to revert to its consideration of the report of the Secretary-General in the context of the agenda item entitled “Administration of justice at the United Nations” during the first part of its resumed fifty-ninth session;

XVI
Staff-management consultations
1. Takes note of the views expressed by staff representatives in the Fifth Committee, stresses the importance of a meaningful dialogue on human resources management issues between staff and management, and calls upon both parties to intensify efforts to overcome differences and to resume the consultative process;
2. Reiterates its requests that the Secretary-General take into account the views of staff representatives, in accordance with article VIII of the Staff Regulations and Rules and resolution 35/213 of 17 December 1980;
 XVII

Other matters

1. Stresses that all administrative issuances of the Secretary-General related to the implementation of resolutions and decisions of the General Assembly shall be in full compliance with such resolutions and decisions and shall be reported to the Assembly in conformity with the established regulations, rules and procedures;

2. Reaffirms that, in accordance with staff regulation 1.2, staff members shall not be actively associated with the management of, or hold a financial interest in, any profit-making, business or other concern if it were possible for the staff member or the profit-making, business or other concern to benefit from such association or financial interest by reason of his or her position with the United Nations;

 XVIII

Reporting

Requests the Secretary-General to submit to the General Assembly for consideration at its sixty-first session consolidated reports, as appropriate, on the results of the implementation of the present resolution.

On 23 December, the Assembly decided that the agenda item on human resources management would remain for consideration during its resumed fifty-ninth (2005) session (decision 59/552).

Pay and benefits system

ICSC, in its ongoing review of the UN pay and benefits system, reviewed the status of the pilot study on broadbanding and pay-for-performance, decided on in 2003 [YUN 2003, p. 1445]. It agreed that the study should commence on 1 July 2004 for a three-year period, and include four volunteer bodies (the World Food Programme, the International Fund for Agricultural Development, the Joint United Nations Programme on HIV/AIDS, and the United Nations Development Programme). It later agreed to include the United Nations Educational, Scientific and Cultural Organization’s International Centre for Theoretical Physics as of 1 July 2005.

ICSC commenced its comprehensive review of the allowances and benefits payable in the UN common system, with a review of the education grant, and the mobility and hardship scheme. The Commission noted that since several of the allowances and benefits were linked, it would prefer to look at those together, and decided on a schedule for considering the allowances and benefits in related groupings.

Regarding the implications of the enlargement of the European Union (EU) on the operation of the mobility and hardship scheme and on the post adjustment system, ICSC decided that, for post adjustment purposes, the 10 countries joining the EU on 1 May 2004 (Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia) should be considered as Group I duty stations, starting with the implementation of new place-to-place surveys; those surveys should be conducted in 2004 for all 10 countries; organizations should start paying salaries for the Professional and higher categories in local currencies, starting with the implementation of new place-to-place surveys for respective duty stations; a modification of the rental subsidy scheme corresponding to Group I duty stations should be introduced at the time of the implementation of new place-to-place surveys; the change from “A” to “H” in the classification of those duty stations under the mobility and hardship scheme should be applied with effect from 1 January 2005.

Contractual arrangements

ICSC consideration. As requested by ICSC [YUN 2003, p. 1445], its secretariat submitted a model for three contractual categories (containing appointments, fixed-term appointments and temporary appointments) proposed in 2003 [ibid.], among the ever increasing types of contracts used in UN system organizations, including details on conditions of employment such as: duration of tenure; mobility requirements; probationary period; procedures for progression to other contract types; the compensation package; social security and health insurance provisions; and conditions for extension and/or termination.

ICSC, noting that significant progress had been made in categorizing contracts across organizations, decided to report to the General Assembly that there was a model within which to apply some definition to the varying contractual arrangements across the UN common system. It requested its secretariat to refine the model and to provide a revised version, as well as information on the distribution of all staff in the organizations by contractual category to ICSC, and a final report to the Assembly, all in 2005.

Report of Secretary-General. In accordance with Assembly resolution 57/305 [YUN 2003, p. 1440], the Secretary-General submitted, in December [A/59/363/Add.1], definitive proposals on new contractual arrangements for simplifying the existing system through the use of only three types of appointments for all Secretariat functions, departments, duty stations and field missions: a short-term appointment, up to a maximum of six months, for staff appointed to meet seasonal or peak workloads and specific short-term requirements; a fixed-term appointment, which could be renewed or extended to cover a maximum period of five years and during which
time, staff members’ performance and competencies would be thoroughly assessed; and a continuing appointment which, subject to the needs of service, would be granted to staff members who had served on fixed terms for five years, provided they had demonstrated adherence to the highest standards of efficiency, competence and integrity required by the UN Charter. Annex II to the report contained proposed amendments to the Staff Regulations and to the 100 series of the Staff Rules that would be necessary to implement the proposal.

The Secretary-General stated that the replacement of permanent appointments by continuing appointments would allow greater weight to be given to the needs of the Organization when an appointment was terminated, greatly assist the Secretary-General in his determination to enhance staff mobility, which was a major goal of his reform of human resources management, and remove the perception that there was a privileged group of staff in the Organization. Conversion to continuing appointment after five years of service on fixed-term appointments with the Organization, subject to performance and the continued needs of the service, would also be in the interest of the staff at large as it would ensure equal treatment.

To protect the acquired rights of staff in service at the time the amended regulations and rules came into force, there would be no change to the contractual status of staff with a permanent appointment, and those already serving on a probationary appointment would retain the right to a permanent appointment at the end of their probationary period. No new probationary appointment would be given after the effective date of the amended regulations and rules, and there would be a one-time review of staff members appointed under the 100 series of the Staff Rules for consideration of conversion of their contracts to permanent appointment. In order for the contracts to be converted, staff members would have to meet certain conditions, such as five years of continuous service on fixed-term appointments and outstanding performance.

The Secretary-General invited the Assembly to approve the proposal and the proposed amendments to the Staff Regulations contained in annex II to his report, and to take note of the proposed amendments to the 100 series of the Staff Rules also contained in annex II.

**Measures to improve mobility**

The Secretary-General, in his August report on progress in implementing human resources management reform in the United Nations [A/59/393], stated that the mobility policy, applied to all staff from G-5 to D-2, had been established as an integral part of the staff selection system. It set limits to post occupancy, as at 1 May 2002, of either five years up to the P-5 level or six above that level, and established minimum post occupancy of two years, or one year after a prior lateral move. The new policy linked mobility to career development, requiring two lateral moves before promotion to the P-5 level. All staff recruited at the P-2 level were required to serve in two different functions within their first five years of service. Over 100 staff at that level had moved successfully through the two mandatory managed reassignment exercises and five voluntary exercises held to date. An implementation plan leading up to the time of the first expiration of post occupancy limits in 2007 or 2008 was developed, which envisaged several pilot voluntary managed reassignment exercises prior to 2007. Starting in May 2007, mandatory managed reassignment exercises would be conducted to facilitate lateral moves of staff whose post occupancy deadlines had expired. There was clearly some resistance to the idea on the part of some staff and managers, but changing a culture and a mindset could only happen over time, and the experience with staff at the P-2 level was encouraging. Measures were being taken to inform and support staff and to ensure the maintenance of continuity, quality of service and institutional memory, through the implementation of knowledge management practices.

ACABQ, in its October report [A/59/446], requested the Secretary-General to pursue the development and implementation of the managed reassignment programmes for entry level and other staff and to budget the required posts accordingly. In his next report on human resources management, he should report on the concerns raised by the Assembly in resolutions 51/226, 53/221 [YUN 1999, p. 1324], 55/258 [YUN 2001, p. 1337] and 57/305 [YUN 2003, p. 1440], and address the financial implications of the reassignment programme. In particular, ACABQ pointed to the need to ensure that mobility would not be used as an instrument of coercion against staff, to recog-
nitize the difference between movement within a duty station and mobility across duty stations, and to ensure that lateral mobility would not negatively affect the continuity and quality of the services required for the implementation of mandated programmes and activities. The Committee also reiterated its view that staff members requested by the Organization to remain on mission assignment, whatever the period of time, should be guaranteed the ability to return to a job in their occupational network and duty station.

HLCM, at its seventh session (London, 8-9 March) [CEB/2004/3], considered measures to improve system-wide mobility, including the progress report on inter-agency mobility of the Working Group on Mobility. It requested the CEB secretariat, through a questionnaire-based exercise, to determine the baseline for organizations to increase or facilitate inter-agency mobility and to present its findings, in the form of a matrix, at its fall session.

At its eighth session (Rome, 5-6 October) [CEB/2004/6], HLCM approved the inter-agency mobility accord presented by the Food and Agriculture Organization of the United Nations (FAO) on behalf of the Working Group on Mobility and requested the CEB secretariat, in consultation with the Human Resources Network, to refine it and ensure its timely finalization. HLCM also considered the results of the questionnaire-based exercise it had requested in March. Noting that interorganizational mobility remained limited, HLCM encouraged organizations to promote it through suitable policies, practices and systems. It requested that the CEB secretariat undertake a follow-up survey to the baseline in early 2007.

Family status

**CEB consideration.** HLCM, at its seventh session (London, 8-9 March) [CEB/2004/3], reached general agreement on principles with respect to the recognition of marriage and domestic partnerships, as part of the measures to improve mobility (see above). Those included: family status for the purpose of entitlements determined by reference to the law of nationality of the staff member concerned; a marriage recognized as valid under the law of the country of nationality of a staff member would qualify that staff member to receive the entitlements provided for eligible family members; and a legally recognized domestic partnership contracted by a staff member under the laws of the country of his or her nationality would also qualify that staff member to receive the entitlements provided for eligible family members.

Organizations would also share information, through the High Level Committee on Management Human Resources Network, on the issue. HLCM requested CEB’s secretariat to consult with the United Nations Joint Staff Pension Fund secretariat on the implementation of that policy by the Fund.

CEB, at its first regular session for 2004 (Vienna, 2-3 April) [CEB/2004/1], noted the general principles on domestic partnerships submitted by HLCM, and requested the Committee to inform it in 2005 on developments in that regard, including the decision to be adopted by the General Assembly (see below), relevant outcomes of agency governing bodies, the experience of organizations applying the policy, and other implications.

**Secretary-General’s bulletin.** The Assembly, at its resumed fifty-eighth session in April, had before it a bulletin by the Secretary-General on family status for purposes of United Nations entitlements [ST/SGB/2004/4]. Some Member States expressed concern with paragraph 4 of the bulletin, which noted that a legally recognized domestic partnership contracted by a staff member under the law of the country of his or her nationality would also qualify that staff member to receive the entitlements provided for eligible family members.

**GENERAL ASSEMBLY ACTION**

On 8 April [meeting 83], the General Assembly, on the recommendation of the Fifth Committee [A/58/750], adopted resolution 58/285 without vote [agenda item 127].

**Human resources management**

The General Assembly,

Reaffirming the Charter of the United Nations, in particular Articles 101 and 97,

Reaffirming also the Staff Regulations and Rules of the United Nations,

Reaffirming further the prerogative of Member States to supplement or amend the Staff Regulations, in accordance with rule 12.1,

Reaffirming that the Secretary-General, as the Chief Administrative Officer of the Organization, shall provide and enforce staff rules consistent with the broad principles of personnel policy for the staffing and administration of the Secretariat,

Reaffirming also that all provisional rules and/or amendments to the Staff Rules should be consistent with the intent and purposes of the Staff Regulations and should be reported to the General Assembly in accordance with regulation 12.3,

1. *Note* the practice in the Organization of determining personal status for the purpose of entitlements as are set out in the Staff Regulations and Rules of the United Nations by reference to the law of nationality of the staff member concerned;

2. Invites the Secretary-General to reissue Secretary-General’s bulletin ST/SGB/2004/4 after re-
viewing its contents, taking into account the views and concerns expressed by Member States thereon;

3. Notes the absence of the terms referred to in paragraph 4 of the bulletin in the context of the existing Staff Regulations and Rules, and decides that the inclusion of those terms shall require the consideration of and necessary action by the General Assembly.

Staff composition

In an August annual report on the UN Secretariat’s staff composition [A/59/299], the Secretary-General updated information on the demographic characteristics of the Secretariat’s staff and on the system of desirable ranges for geographical distribution. As at 30 June 2004, Secretariat staff numbered 14,823, some 259 less than at 30 June 2003. Of that total, 5,325 were in the Professional and higher categories, 8,623 were in the General Service and related categories and 875 were project personnel; 7,602 were paid from the regular budget and 7,221 from extrabudgetary sources. Staff in posts subject to geographical distribution numbered 2,515, of whom 1,063 (42.3 per cent) were female. Fifteen Member States were unrepresented in all staff categories, while 10 were underrepresented, compared to 17 and 10, respectively, in 2003. Appointments to posts subject to geographical distribution between 1 July 2003 and 30 June 2004 totalled 208. Of those, 12 (5.8 per cent) were nationals of underrepresented Member States, 136 (65.3 per cent) of within-range Member States, and 60 (28.8 per cent) of overrepresented Member States. Changes in representation status resulted from appointments or separation from service, adjustments to desirable ranges, owing to an increase or decrease in the number of posts subject to geographical distribution, changes in the number of Member States, scale of assessments, population of Member States and status of individual staff members.

The report also gave information on the demographic profile of Secretariat staff, staff movement from 1 July 2003 to 30 June 2004, and forecasts of anticipated retirements between 2004 and 2008.

Equitable geographical representation

Report of Secretary-General. In response to General Assembly resolutions 57/305 [YUN 2003, p. 1440] and 58/270 [YUN 2003, p. 1399], the Secretary-General submitted an August report [A/59/264] on progress made in the recruitment of nationals of unrepresented and underrepresented Member States from June 1994 to June 2004. The number of unrepresented Member States declined from 25 in 1994 to 10 in 2004. However, of the 28 unrepresented Member States in June 1994, five continued to be unrepresented (Brunei Darussalam, Marshall Islands, Monaco, Sao Tome and Principe and Turkmenistan), and of the 25 underrepresented Member States in June 1994, three were currently still underrepresented (Japan, Norway and Saudi Arabia). For posts subject to geographical distribution, on average, 22 per cent, or more than one of every five recruitments, had been from an unrepresented or underrepresented Member State. Of the 534 successful national competitive examination candidates recruited over the past 10 years, 141 were from those States, reflecting a significant increase in both the number of Member States participating in the examination and in the number of candidates convoked to sit it. The OHRM human resources action plans, which included targets for the improvement of equitable geographical representation, had also contributed to the improved situation. To further improve representation, the Secretariat proposed the introduction of a fast-track recruitment procedure for candidates from unrepresented and underrepresented Member States to posts at the P-4 level and above in line with the overall principles and procedures of the staff selection system. The procedure would include targeted recruitment campaigns in partnership with departments and concerned Member States. OHRM proposed that relevant permanent missions should identify focal points with which the Secretariat would work on increasing their representation. A focal point was being established in OHRM for the systematic development and implementation of strategies to pursue the recruitment of candidates from unrepresented and underrepresented Member States at the P-5 level.

ACABQ report. In October [A/59/446], ACABQ expressed the hope that the measures that were being taken to improve equitable geographical representation would be pursued vigorously and would have concrete results.

Status of women

ICSC consideration. Under its standing mandate to review the status of women in the organizations of the common system, ICSC, at its fifty-ninth session [A/59/30 (Vol. I)], reviewed a statistical report submitted by its secretariat on gender balance at all levels in the common system organizations, including with regard to ungraded officials. ICSC expressed disappointment that the rate in the advancement of women had slowed over the years and that only limited progress had been made. It requested its secretariat to report on further progress in 2006, including informa-
tution on the representation of women by region and on organizations’ gender plans and their development, implementation and effectiveness.

Reports of Secretary-General. In response to General Assembly resolution 57/305 [YUN 2003, p. 1440], the Secretary-General submitted a September report [A/59/263/Add.2] on improving gender distribution in the UN Secretariat. The report complemented the Secretary-General’s report on the improvement of the status of women in the UN system (see below). As at 30 June 2004, women comprised 37.4 per cent of staff in the Professional and higher categories with appointments of one year or more, a 1.7 per cent increase over the previous year, and the highest annual change since 1998. They also accounted for 42.5 per cent of recruitments into the Professional category between 1 July 2003 and 30 June 2004, with 37.7 per cent at the Director level; and 47.2 per cent of promotions, with 47.5 per cent at the Director level. The goal of gender parity had been achieved at the junior Professional level and in the General Service category. As at 30 June 2004, 50.8 per cent of staff at the P-2 level were women and 62.1 per cent in the General Service category. The Secretary-General was committed to ensuring that the progress achieved would not be eroded by the separation from the Organization of women staff members, particularly in the next five years (2004-2008), when, 1,689 staff members of the current workforce (14.6 per cent), or one of every three retirements in the Professional and higher categories (697) and more than one of every two in the General Service and related categories (992) would be a female staff member. That would be an opportune time to increase recruitment of women candidates.

Efforts to improve gender distribution had focused on increasing the number of women recruited, promoted and placed; raising gender sensitivity among programme managers and the staff at large; providing appropriate work/life policies to attract and retain staff, particularly women; enhancing career development opportunities for all staff; and establishing mechanisms to monitor progress towards the achievement of the gender parity goal. Several key initiatives introduced under the current human resources management reform programme contained features or provisions that sought to contribute to the improvement of gender distribution, including the human resources action plans, the staff selection system, work/life policies, performance management, career development programmes and gender sensitivity training. Human resources action plans, established jointly by heads of departments and offices and the Assistant Secretary-General for Human Resources Management, contained specific targets, such as the selection of women for at least 50 per cent of vacancies resulting from retirements, new posts, and posts vacated for other reasons, in order to reach gender balance in all categories of staff. Twenty departments or offices had met that target in the 2001-2002 biennium, and in the 2003-2004 biennium, those departments and offices that had not achieved gender parity were to reach and maintain an average annual increase of at least 2 per cent for female staff in the Professional and higher categories.

However, several factors had affected progress towards the achievement of the 50/50 gender goal, such as the need for: strengthened accountability for achieving gender balance; better forecasting of future workforce needs, including completion of a skills inventory to identify women with leadership potential, and for succession planning; better coordination in policy implementation among stakeholders; specific support strategies for departments facing problems in meeting their gender targets, for more targeting of women, especially for senior-level posts and for occupational groups where women were chronically underrepresented; better online monitoring tools to provide heads of departments and offices with timely information; and the limited advancement opportunity for the internal pool of qualified women in the General Service and related categories.

Specific actions to improve gender distribution focused on accountability, human resources planning, policy implementation and review, specific support to departments and offices, an expanded pool of qualified women candidates and online monitoring tools.

In response to General Assembly resolution 58/144 [YUN 2003, p. 1449], the Secretary-General submitted a September report [A/59/357] on the improvement of the status of women in the UN system. He noted that at the senior policy-making levels (D-1 level and above), the representation of women increased by 3.1 per cent from 33.3 to 36.4 per cent, with the largest increases at the Assistant Secretary-General (from 29.5 to 29.4 per cent) and D-1 levels (from 36.3 to 39.4 per cent). At the Under-Secretary-General level, the proportion of women increased from 20.8 to 22.7 per cent and at the D-2 level, from 31.2 to 33.86 per cent. At the P-1 to P-5 levels, the proportion of women comprised 43.2 per cent, with the only increase, from 37.2 to 39.5 per cent, at the P-4 level. All other levels showed negative growth.

The Secretary-General concluded that the overall representation of women still fell short of
a 50/50 gender balance, and projections were that the attainment of gender balance would remain a challenge. Despite the significant gains achieved to attain gender balance systemwide, UN entities, including the Secretariat, had a long way to go to effectively integrate gender balance considerations into institutional and attitudinal systems and human resources management policies of the Organization.

The report also presented the analysis carried out by the Office of the Special Adviser on Gender Issues and Advancement of Women on the causes of the slow progress in the improvement of the status of women in the Secretariat, which revealed that gender imbalance was a multidimensional and systemic problem which required a systemic and integrated response. As candidates for recruitment, women were discriminated against by unfavourable external factors and within the Organization, by recruitment strategies, promotion and retention policies, career development, justice and anti-harassment policies, human resources and succession planning, work/family policies, management culture and mechanisms for accountability needed to be reviewed to ensure that they did not directly or indirectly disadvantage women. Legislative bodies had not effectively addressed the problem of the disproportionately small number of women entering the UN system. At the entry level, the current staffing system was neither proactive nor targeted enough and relied too much on web-based vacancy announcements. Also, there was no accountability, particularly at the level of programme managers, for gender balance. Improved transparency and monitoring were also required. In that context, the new terms of reference of the departmental focal points were expected to include full access to data for purposes of regular monitoring of gender balance status, access to and regular consultations with programme managers and heads of departments or offices on human resources action plans and gender targets, and giving advice on the selection of women candidates.

The report identified several problems related to the retention of women, especially in the General Service category. Progression for that category of staff was severely restricted, owing to the need to pass the General to Professional (G-P) examination and the fact that only 10 per cent of vacant P-2 posts were allotted to them. The report revealed mismatches between formal and informal systems of selection and career development. Another key component of career progression was the impact of the working climate and culture. The report noted that the objective of introducing work/life policies to attract and retain quality staff, especially women, had not yet impacted the current managerial culture within the Secretariat, which continued to view those policies as a barrier to efficiency and productivity and as incompatible with career advancement and the performance of managerial level posts.

The Secretariat’s gender balance system needed to be enhanced by special measures adapted to the current staff selection system and by clearly defined organizational responsibilities for gender balance at all levels throughout the Secretariat. The Secretary-General remained firmly committed to reaching the goal of 50/50 gender balance at all levels and in all categories of posts and would ensure that heads of departments and offices and central monitoring offices intensified efforts and strengthened measures towards that end.

**GENERAL ASSEMBLY ACTION**

On 20 December [meeting 74], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/59/496], adopted resolution 59/164 without vote [agenda item 98].

**Improvement of the status of women in the United Nations system**

The General Assembly,

Recalling Articles 1 and 101 of the Charter of the United Nations, as well as Article 8, which provides that the United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs,

Recalling also the goal, contained in the Platform for Action adopted by the Fourth World Conference on Women, of achieving overall gender equality, particularly at the Professional level and above, by 2000 and the further actions and initiatives set out in the outcome document adopted by the General Assembly at its twenty-third special session, entitled “Women 2000: gender equality, development and peace for the twenty-first century”,

1. Takes note with appreciation of the report of the Secretary-General;
2. Welcomes:
   (a) The commitment of the Secretary-General to meeting the goal of gender equality and his assurance that gender balance will be given the highest priority in his continuing efforts to bring about a new management culture in the Organization;
   (b) The new initiatives and strategies undertaken system-wide and at the Secretariat level to achieve gender balance, including paying special attention to the identification of suitably qualified women candidates, strengthening of recruitment sources for women, development of recruitment strategies in substantive areas, enhancing women’s career development, fostering attitudinal changes and introducing family-friendly policies;
(v) The increase in the proportion of women in the Professional and higher categories of staff with appointments of one year or more;

3. Regrets that the goal of 50/50 gender distribution has not been met and that overall progress in achieving this goal remains limited;

4. Notes with concern the continuing lack of representation of women at higher levels of decision-making, especially at the Under-Secretary-General level;

5. Notes with particular concern that gender balance considerations have yet to be effectively integrated throughout the human resources management policies of the United Nations;

6. Reaffirms the urgent goal of achieving 50/50 gender distribution in all categories of posts within the United Nations system, especially at senior and policy-making levels, with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter of the United Nations;

7. Stresses the need to address the continuing lack of representation or underrepresentation of women from certain countries, in particular from developing and least developed countries, from countries with economies in transition and from unrecognized or largely underrepresented Member States;

8. Reaffirms the need to continue to develop innovative recruitment strategies to identify and attract suitably qualified women candidates, in particular from and in, developing and least developed countries and countries with economies in transition and other Member States that are unrecognized or underrepresented in the Secretariat;

9. Reaffirms also resolution 58/144 of 22 December 2003, and requests increased and sustained efforts towards its full implementation;

10. Requests the Secretary-General and the executive heads of the organizations of the United Nations system to ensure that recruitment strategies, promotion and retention policies, career development, justice, anti-harassment and sexual harassment policies, human resources and succession planning, work/family policies, management culture and mechanisms for managerial accountability accelerate the goal of 50/50 gender distribution;

11. Urges the Secretary-General and the executive heads of the organizations of the United Nations system to redouble their efforts to realize significant progress towards the goal of 50/50 gender distribution in the very near future;

12. Requests the Secretary-General to enable the Office of the Special Adviser on Gender Issues and Advancement of Women to effectively contribute to, monitor and facilitate the setting and achievement of gender targets in human resource action plans, including by ensuring access to the information required to carry out that work;

13. Strongly encourages Member States to support the efforts of the United Nations and the specialized agencies, funds and programmes to achieve the goal of 50/50 gender distribution, especially at senior and policy-making levels, by identifying and regularly submitting more women candidates for appointment to positions in the United Nations system, by identifying and proposing national recruitment sources in cooperation with national women’s machineries and professional organization networks and by encouraging more women to apply for positions within the Secretariat, the specialized agencies, funds and programmes and the regional commissions, including in areas in which women are underrepresented, such as peacekeeping, peacebuilding and other non-traditional areas;

14. Requests the Secretary-General to provide an oral report to the Commission on the Status of Women at its forty-ninth and fiftieth sessions and to report to the General Assembly at its sixty-first session on the implementation of the present resolution, including by providing up-to-date statistics on all levels of the United Nations system.

Study of availability of skills in local labour markets

OIOS report. In response to General Assembly resolution 58/270 [YUN 2003, p. 1399], the Secretary-General transmitted a September OIOS report (A/59/388) on the availability in local labour markets, of the skills for which international recruitment for the General Service category took place. The Secretariat currently employed 6,761 staff in the General Service category, 304 of whom received international benefits. Of those receiving benefits, two-thirds were language staff working in the Department for General Assembly and Conference Management (DGACM), in New York and Geneva. OIOS assessed the granting of those benefits to staff in the General Service category throughout the Organization, which cost an estimated $9.25 million per biennium. The study also reviewed the rules governing local recruitment and its consequences, especially for DGACM’s Text Processing Section in New York.

OIOS found that the determination regarding the absence of skills in the local labour market at Headquarters was not based on sufficient or up-to-date evidence about the characteristics of that market. Data indicated that the local labour market might have the skills required to fill posts expected to become vacant in the Arabic, Chinese, French, Spanish and Russian Text Processing Units. A definitive determination as to whether that was so should only be made on the basis of an examination for all four categories of skills required of editorial clerks/assistants, in addition to a systematic, aggressive outreach effort in the New York labour market. The United Nations Office at Geneva conducted such an outreach campaign and concluded that candidates with sufficient skills were available and, therefore, recruited staff in the General Service category for the Text Processing Units locally.

OIOS recommended that the Organization change the basis of recruitment for the General Service category to grant international status...
only to those recruited from outside the area of the
duty station; require documentation to deter-
mine whether the local labour market contained
the skills required in anticipation of vacancies; 
specify that staff members be regarded as locally
recruited if recruited within the vicinity or
country of the duty station; and amend Appen-
dix B to the Staff Rules to clarify that payment of
international benefits was subject to the determi-
nation that a particular post had been filled by in-
ternational recruitment and/or could not be
filled through local, compared to 2001. Of the 163
countries, 11 of which accounted for 67 per cent
of all engagements. In 2003, consultants were
hired from 167 countries, with 19 of them ac-
counting for 54 per cent of all consultations, and
individual contractors from 114 countries, of
which 11 accounted for 60 per cent of all engage-
ments. Female representation increased, in the
case of consultants to 29.7 per cent and of indi-
vidual contractors to 54.8 per cent. Consultants
and individual contractors were used mainly for
advisory services, programme implementation,
special analytical studies and the preparation
of meetings, working as professionals, managers or
technicians, and as economists and in technical
cooperation related areas.

ACABQ report. In October [A/59/446], ACABQ
found the information of limited value. It re-
quested OHRM to broaden the scope of the report
in the future to include more analysis and to as-
sess the compliance of practice in the hiring of
experts and consultants with existing rules and
regulations. It also requested OHRM to complete
the staff skills inventory expeditiously.

Employment of retirees

Report of Secretary-General. Pursuant to
General Assembly resolution 57/305 and de-
cision 51/408 [YUN 1996, p. 1829], the Secretary-
General submitted an August report on the use
of retired personnel, covering the 2002-2003 bi-
ennium [A/59/222]. The report provided statisti-
cal data on the use of persons who retired after
ages 60 or 62, excluding those engaged by the
United Nations Joint Staff Pension Fund, by
the number of retirees engaged, the type and cate-
gory of engagement, the departments and offices
involved, and the retirees’ nationality, gender,
functions, age group, days worked and fees or
salaries paid.

During 2002-2003, 620 retired staff were en-
gaged by the Organization, a 65 per cent increase
over the 2000-2001 biennium. The number of
days worked increased by 99 per cent, as did the
cost, from $10.5 million in 2000-2001 to
$26.9 million in 2002-2003, an increase of 156 per
cent. A total of 42 per cent of the engagements
were in the Professional and higher categories
and 25 per cent in the Field Service and General
Service and related categories. Some 32 per cent
of the engagements were by special service agree-
ment, covering both consultants and individual
contractors, and 54 per cent were on a short-term
basis. The overall trend was an increase along all
parameters (number engaged, days worked and
fees) since 1998: 81 per cent more engagements,
86 per cent more days worked and a 162 per cent
increase in cost.
The increases during the 2002-2003 biennium were due to an increase in the number of meetings and required documentation at major duty stations at a time when there was a simultaneous increase in the number of retirements, necessitating the hiring of retirees with specialized skills, such as translators, interpreters and editors, for limited periods, while the regular staff selection process was under way. There were also major increases in peacekeeping and humanitarian activities in the field, which required rapid reinforcement of backstopping capacity in the relevant departments. In both cases, the use of retirees was considered to be the most cost-effective way to meet short-term operational needs.

The three main groups of functions for which retired former staff were engaged in 2002-2003 were: language services (35 per cent), in particular revisers and interpreters; administrative functions (26 per cent); and political, economic, social, environmental, humanitarian, advisory and technical assistance functions (23 per cent).

**ACABQ report.** In October [A/59/446], ACABQ cautioned that the hiring of retirees to meet immediate organizational requirements did not obviate the need for proper succession planning. Progress in the streamlining of the staff selection process should also have an impact on the need for retirees. It recommended that greater efforts be made to hire qualified and skilled young persons to carry out functions for which the Secretariat was using retired staff. That might mean re-evaluating the levels of posts vacated by retirees prior to initiating recruitment procedures.

**Discrimination**

Pursuant to Assembly resolution 57/305 [YUN 2003, p. 1257], the Secretary-General submitted an August report, prepared in cooperation with OITOS and JIU, on measures to prevent discrimination on the basis of nationality, race, gender, religion or language in the United Nations [A/59/21]. The Secretary-General outlined the measures he had initiated to prevent or correct discrimination, or to create an environment free of discrimination. Those measures included: the definition of organizational core-values and core and managerial competencies to build organizational capacity and promote shared values and common standards; issuance of a circular recalling that the core values of the Organization prohibited discrimination and harassment; the launching of an organizational integrity initiative; the establishment of monitoring and accountability mechanisms in the recruitment, promotion and placement processes; the enhancement of multilingualism, which minimized the likelihood of discrimination based on linguistic differences; the issuance of clear guidance for conflict resolution and complaint mechanisms, which included the establishment of the Office of the Ombudsman, panels on discrimination and other grievances, and revision of procedures to address all forms of discrimination and harassment.

**Protection from sexual exploitation and sexual abuse**

**Report of Secretary-General.** In response to General Assembly resolution 57/306 [YUN 2003, p. 1257], the Secretary-General submitted an April report [A/58/777], containing information on the responses by 48 UN entities to the Secretariat’s query regarding investigations into cases of sexual exploitation or sexual abuse. In 2003, forty-two entities reported that they had received no reports of sexual exploitation or abuse, and six reported the opening of investigations into newly reported cases. DPKO reported 24 new cases, and in two of the five cases where the alleged perpetrators were civilian personnel, serious misconduct was found to have occurred and appropriate disciplinary action taken. Of the 19 cases in which military personnel were allegedly involved, investigations revealed serious misconduct in eight.

The Office for the Coordination of Humanitarian Affairs reported one case, which had been closed. The Office of the United Nations High Commissioner for Refugees reported 24 new cases, of which 22 had been closed and 2 remained under investigation. The United Nations Relief and Works Agency for Palestine Refugees in the Near East reported 2 cases; one was closed and the other was under investigation. The United Nations Children’s Fund and the World Food Programme reported one case each, both of which were under investigation.

The Secretariat was aware that the data gathered might not reflect the true extent of those incidents, and complaint procedures and victim support mechanisms were not yet adequate. In many cases, victims were reportedly too frightened or ashamed to lodge a complaint, and once reported, some victims failed to provide evidence during the investigation phase due to confusion or intimidation. In addition, staff members might not yet be fully aware of the responsibilities placed on them by the Secretary-General’s October 2003 bulletin [ST/SG/2003/15] on special measures for protection from sexual exploitation and sexual abuse.

Additional efforts were required to establish a system within which misconduct of that kind was systematically reported and effectively followed up, while safeguarding the rights of the victims. Measures were put in place in 2004 to help improve the situation, including enhanced sensiti-
ization on the issue for managers and staff, particularly those in the field, and the development of tools and guidelines for the appropriate handling of complaints of sexual exploitation and abuse. The Inter-Agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises countered in the recruitment and retention of services, they said that system organizations were regarding the capabilities to provide language services, they believed that the findings and conclusions of the report.

On 18 June, the Assembly took note of the Secretary-General's report (decision 58/568).

Multilingualism

The Secretary-General transmitted to the Assembly his comments and those of CEB [A/58/95/Add.1] on the 2005 JIU report on the implementation of multilingualism in the UN system [YUN 2005, p. 1451]. CEB members generally concurred with the findings and conclusions of the report. Regarding the capabilities to provide language services, they said that system organizations were not quite as competitive as they could be in view of the prevailing salary conditions, and observed that considerable difficulty was still being encountered in the recruitment and retention of staff with the necessary language skills.

The General Assembly, on 5 August, at the request of France [A/58/862], on behalf of the States members of the Intergovernmental Agency of La Francophonie, decided to defer consideration of the item on multilingualism and to include it in the draft agenda of its fifty-ninth (2004) session, on the understanding that the biennial character of the item would not be called into question and the item would be considered next at the sixty-first (2006) session (decision 58/571).

On 23 December, the General Assembly decided that the agenda item on multilingualism would remain for consideration at its fifty-ninth (2005) session (decision 59/552).

Staff rules and regulations

In accordance with staff regulations 12.3 stipulating that the full text of provisional staff rules and amendments should be reported annually to the General Assembly, the Secretary-General, in August [A/59/215 & Add.1], outlined amendments to the 100, 200 and 300 series of Staff Rules, together with the rationale for the changes. Amendments to the 100 series related to sick leave, official travel, due process, and the Joint Disciplinary Committees. Amendments under the 200 and 300 series related to sick leave.

The Secretary-General recommended that the Assembly take note of the amendments in the annex to the report, which he proposed to implement as from 1 January 2005.

Headquarters agreements

JIU report. In October [A/59/528], the Secretary-General transmitted the JIU report entitled “Review of the Headquarters Agreements concluded by the organizations of the United Nations system: human resources issues affecting staff”. The objective of the investigation was to identify where adjustments in headquarters agreements might be advisable, with an emphasis on areas essential for the reform of human resources management, and to contribute to the elaboration of model rules for future headquarters agreements and possible amendments to existing ones. JIU traced the evolution of headquarters agreements and its implications for current agreements, and addressed selected work/life issues requiring review in terms of their relevance to the agreements and their interpretation and implementation in host countries. Among the issues were: work permits for spouses and children, domestic helpers and non-dependent family members of staff; the acquisition, rental and sale of real estate by staff; staff integration into the social security system of host countries; staff retirement in host countries; and the payment of value added tax and similar taxes, and income taxation issues.

Recognizing that the employment of spouses of UN staff members was a concern that needed to be addressed if the UN system was to attract, employ and retain the best candidates for jobs in UN organizations worldwide, JIU recommended that legislative bodies of organizations remind host countries of the importance of fully implementing headquarters agreements and ensuring the use of simplified procedures to facilitate the exercise of privileges, immunities and other facilities to ensure efficient and timely processing. In that regard, JIU recommended that legislative bodies of organizations remind host countries of the importance of fully implementing headquarters agreements and ensuring the use of simplified procedures to facilitate the exercise of those privileges, immunities and benefits, including those work/life issues mentioned above. To better acquaint staff, particularly new recruits and arrivals at a duty station, of the contents of host country agreements, executive heads were requested to issue comprehensive information and publicize the privileges, immunities and other benefits granted staff, and staff obliga-
tions. Host countries should likewise inform their local administrations, public services and business communities, especially those situated outside the capital or seat of the various organizations. Host countries should be reminded that any additional facilities granted to intergovernmental organizations should be extended to all UN system organizations, their staff and officials located in that territory. The Secretary-General should request CEB to coordinate the formulation of a model framework headquarters agreement, or standard agreement, ensuring uniformity for approval by the Assembly, and which would be used to guide the conclusion of future and/or updating of existing headquarters agreements. Host countries should also be reminded of the significance of simplified procedures to ensure the speedy processing of visas for staff and officials travelling on mission for UN organizations, so as to prevent undue delays in the substantive work of the organization and possible financial losses.

Safety and security

Reports of Secretary-General. In response to General Assembly resolution 58/122 [YUN 2003, p. 453], the Secretary-General, in September [A/59/322], updated information on threats against the safety and security of UN personnel between 1 July 2003 and 30 June 2004. He stated that, since 1992, 218 United Nations civilian staff members had been killed as a result of malicious acts. During the reporting period, 22 staff members were killed, the majority of whom were victims of the bomb attack on the UN headquarters in Baghdad in 2003 [YUN 2003, p. 346]. More than 120 incidents of assault, including 10 cases of rape or sexual assault on UN personnel were recorded, and at least 139 incidents of harassments at checkpoints or against convoys or other activities. There were also two serious incidents of kidnaping in Somalia, and four bomb threats against field offices in Ethiopia, Georgia, Guatemala and Pakistan. Attacks on UN premises and properties in the field were of increasing concern, with seven violent attacks against UN compounds, or UN compounds, and 13 armed intrusions into UN compounds, and more than 1,256 incidents of theft involving office equipment, official vehicles, staff residences and personal belongings.

The report described efforts to improve the security management system, including the results of the security evaluation conducted following the August 2003 attack against the UN premises in Baghdad. Immediate actions completed at Headquarters included the development and promulgation of an enhanced standardized procedure for conducting threat and risk assessment, upgrading of the Minimum Operating Security Standards (MOSS); dispatch of 19 support missions of the Office of the United Nations Security Coordinator (UNSECOORD) to countries of particular concern; elaboration by DPKO of specific security measures, including country-specific MOSS; a study on crisis management lessons; and a request to the Assembly (see p. 1380) for additional resources to fulfill immediate needs for security personnel and facilities at Headquarters and field locations. To address in a comprehensive and integrated manner the issue of longer-term concepts and requirements for the entire United Nations, a separate report [A/59/556 & Corr.1 & Add.1] (see p. 1478) proposing a unified and strengthened UN security management system was submitted to the Assembly. Throughout the reporting period, UN organizations funds and programmes and UNSECOORD actively recruited, trained and deployed skilled field security coordination officers and agency field security officers. In terms of accountability, on 29 March, the Secretary-General announced disciplinary measures, following the release of the report by an investigative panel that had identified institutional and individual failures in assessing the security situation in Baghdad prior to the August 2003 attack.

The Secretary-General observed that the period under review was particularly difficult, forcing the UN system to reflect seriously on the future of its security management arrangements at all levels. There was a need for a proactive approach, which would allow the United Nations to monitor its environment more systematically. The Organization had to anticipate security incidents and plan for them in advance, as well as enhance its readiness and protection through training, equipment and physical security measures. That demanded a cultural change within the UN system. To ensure success, managers and staff had to be equally committed to the process.

CEB consideration. HLCM, at its eighth session (Rome, 5-6 October) [CEB/2004/6], welcomed the Secretary-General’s proposals for a strengthened and unified security management system for the United Nations to be funded under the UN regular budget (see above), including the new organizational structure and approach to financing, and agreed that all organizations should be proactive in seeking the support of Member States in their governing bodies or executive boards; took note of further work to be undertaken on such issues as governance, an implementation strategy for the new security management system and strengthened coordination at all headquarters locations, including how
to maximize partnerships and collaboration with the specialized agencies; noted that the new United Nations Security Directorate would not be responsible for security at the headquarters locations of the specialized agencies, which would continue their relationships with host Governments, the latter being ultimately responsible for the security and safety of personnel; and requested that security networks, both in the field and at headquarters, submit proposals to HLCM on mechanisms that would ensure a robust, well-coordinated global security management system.

HLCM endorsed the report of the Inter-Agency Security Management Network on its May 2004 meeting and approved its key recommendations related to security threat and risk assessments, minimum operating security standards, aviation safety, medical emergencies involving mass casualties, security training and accountability. HLCM also endorsed the revised MOSS policy document as the new baseline standard for security at the field level. Those baseline standards, combined with the outcome of the threat and risk assessment for specific local conditions should be incorporated into a location-specific MOSS. It agreed that compliance evaluations of and assistance with the implementation of MOSS should be undertaken by UNSECORD.

HLCM reiterated that security training was mandatory for all staff members depending on their individual specific needs, whether in the field or at headquarters and called on each organization to ensure adherence; agreed that staff should refresh their CD-ROM security training every three years on a mandatory basis; and agreed that all designated officials had to undergo mandatory security briefing and training prior to assuming their assignment.

HLCM also considered an update of a document presented at its fifth session [YUN 2003, p. 1453] on actions taken by individual organizations to improve their security and emergency preparedness so as to provide guidance for those organizations that had yet to complete their emergency preparedness and business continuity planning in the hope that experience gained by organizations might serve as a useful reference for others.

CEB, at its second regular session for 2004 (New York, 29-30 October) [CEB/2004/2], welcomed the progress in HLCM’s work, the outcome of the 2004 census of UN system staff members and the situation of contingency planning and emergency preparedness in the organizations and bodies of the system.

**GENERAL ASSEMBLY ACTION**

On 20 December [meeting 54], the General Assembly adopted resolution 59/211 [draft: A/59/L.51 & Add.1] without vote [agenda item 39].

**Safety and security of humanitarian personnel and protection of United Nations personnel**

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991 on strengthening the coordination of humanitarian emergency assistance of the United Nations,


Taking note of all resolutions and presidential statements of the Security Council and reports of the Secretary-General to the Council on the protection of civilians in armed conflict,

Recalling all relevant provisions of international law, including international humanitarian law and human rights law, as well as all relevant treaties,

Reaffirming the need to promote and ensure respect for the principles and rules of international law, including international humanitarian law,

Recalling that primary responsibility under international law for the security and protection of humanitarian personnel and United Nations and its associated personnel lies with the Government hosting a United Nations operation conducted under the Charter of the United Nations or its agreements with relevant organizations,

Urging all parties involved in armed conflicts, in compliance with international humanitarian law, in particular their obligations under the Geneva Conventions of 12 August 1949 and the obligations applicable to them under the Additional Protocols thereto, of 8 June 1977, to ensure the security and protection of all humanitarian personnel and United Nations and its associated personnel,

Welcoming the fact that the number of States parties to the Convention on the Safety of United Nations and Associated Personnel, which entered into force on 15 January 1999, has continued to rise, the number now having reached seventy-seven, and mindful of the need to promote universality of the Convention,

Deeply concerned by the dangers and security risks faced by humanitarian personnel and United Nations and its associated personnel at the field level, as they operate in increasingly complex contexts, as well as the continuous erosion, in many cases, of respect for the principles and rules of international law, in particular international humanitarian law,

Expressing profound regret at the deaths of international and national humanitarian personnel and United Nations and its associated personnel involved in the provision of humanitarian assistance, and strongly deploiring the rising toll of casualties among such personnel in complex humanitarian emergencies, in particular in armed conflicts and in post-conflict situations,

Strongly condemning acts of murder and other forms of violence, rape and sexual assault and all forms of
violence committed in particular against women, and
intimidation, armed robbery, abduction, hostage-taking,
kidnapping, harassment and illegal arrest and detention
to which those participating in humanitarian opera-
tions are increasingly exposed, as well as attacks on
humanitarian convoys and acts of destruction and loot-
ing of property,
Commending the courage and commitment of those
who take part in humanitarian operations, often at
great personal risk, especially of locally recruited staff,
Expressing concern that the occurrence of attacks and
threats against humanitarian personnel and United
Nations and its associated personnel is a factor that in-
creasingly restricts the ability of the Organization to
provide assistance and protection to civilians in fulfill-
ment of its mandate under the Charter,
Recalling the inclusion of attacks intentionally di-
rected against personnel involved in a humanitarian as-
sistance or peacekeeping mission in accordance with
the Charter as a war crime in the Rome Statute of the
International Criminal Court, and noting the role that
the Court could play in appropriate cases in bringing to
justice those responsible for serious violations of inter-
national humanitarian law,
Reaffirming the need to ensure adequate levels of
safety and security for United Nations personnel and
its associated humanitarian personnel, which consti-
tutes an underlying duty of the Organization, and
mindful of the need to promote and enhance the
security consciousness within the organizational cul-
ture of the United Nations and a culture of accounta-
"ability at all levels,
Emphasizing the urgent need to take concrete mea-
sures to strengthen the effectiveness of the security
management system for the United Nations, and in this
regard mindful of the report of the Secretary-General
on a strengthened and unified security management
system for the United Nations,
1. Welcomes the report of the Secretary-General on
the safety and security of humanitarian personnel and
protection of United Nations personnel;
2. Urges all States to take the necessary measures to
ensure the full and effective implementation of the rel-
levant principles and rules of international law, includ-
ing international humanitarian law, human rights law
and refugee law related to the safety and security of hu-
manitarian personnel and United Nations personnel;
3. Strongly urges all States to take the necessary mea-
sures to ensure the safety and security of humanitarian
personnel and United Nations and its associated per-
sonnel and to respect and ensure respect for the invio-
ability of United Nations premises, which are essential
to the continuation and successful implementation of
United Nations operations;
4. Calls upon all Governments and parties in com-
plex humanitarian emergencies, in particular in armed
conflicts and in post-conflict situations, in countries in
which humanitarian personnel are operating, in con-
formity with the relevant provisions of international
law and national laws, to cooperate fully with the
United Nations and other humanitarian agencies and
organizations and to ensure the safe and unhindered
access of humanitarian personnel in order to allow
them to perform efficiently their task of assisting the
affected civilian population, including refugees and in-
ternally displaced persons;
5. Calls upon all States to consider becoming parties
to and to respect fully their obligation under related
relevant international instruments, in particular the Con-
vention on the Safety of United Nations and Associated
Personnel;
6. Also calls upon all States to consider becoming par-
ties to and to respect fully their obligations under the
Convention on the Privileges and Immunities of the
United Nations and the Convention on the Privileges
and Immunities of the Specialized Agencies, which
have been ratified so far by one hundred and forty-
eight States and one hundred and eight States, respect-
ively;
7. Further calls upon all States to consider becoming
parties to the Rome Statute of the International Crimi-
nal Court;
8. Takes note with appreciation of the important pro-
gress made by the working group and the Ad Hoc Com-
mittee on the Scope of Legal Protection under the Con-
vention on the Safety of United Nations and Associated
Personnel, and notes that the Ad Hoc Committee will
convene from 11 to 15 April 2005 with a mandate to
expand the scope of legal protection under the said
Convention, including by means of a legal instrument;
9. Expresses deep concern that, over the past decade,
threats against the safety and security of humanitarian
personnel and United Nations and its associated per-
sonnel have escalated dramatically and that perpetra-
tors of acts of violence seemingly operate with impu-
nity;
10. Strongly condemns all threats and acts of violence
against humanitarian personnel and United Nations
and its associated personnel, affirms the need to hold
accountable those responsible for such acts, strongly
urges all States to take stronger actions to ensure that
any such acts committed on their territory are investi-
gated fully and to ensure that the perpetrators of such
acts are brought to justice in accordance with interna-
tional law and national law, and notes the need for
States to end impunity for such acts;
11. Calls upon all States to provide adequate and
prompt information in the event of the arrest or deten-
tion of humanitarian personnel or United Nations and
its associated personnel, to afford them the necessary
medical assistance and to allow independent medical
teams to visit and examine the health of those detained,
and urges them to take the necessary measures to en-
sure the speedy release of those who have been arrested
or detained in violation of the relevant conventions re-
ferred to in the present resolution and applicable inter-
national humanitarian law;
12. Calls upon all other parties involved in armed
conflicts to refrain from abducting humanitarian per-
sonnel or United Nations and its associated personnel
or detaining them in violation of the relevant conven-
tions referred to in the present resolution and applica-
tible international humanitarian law, and speedily to re-
lease, without harm or requirement of concession, any
abductee or detainee;
13. Reaffirms the obligation of all humanitarian
personnel and United Nations and its associated per-
sonnel to observe and respect the national laws of the
country in which they are operating, in accordance
with international law and the Charter of the United
Nations;
14. Requests the Secretary-General to take the necessary measures to ensure full respect for the human rights, privileges and immunities of United Nations personnel and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, and also requests the Secretary-General to seek the inclusion, in negotiations of headquarters and other mission agreements concerning United Nations and its associated personnel, of the applicable conditions contained in the Convention on the Privileges and Immunities of the United Nations, the Convention on the Privileges and Immunities of the Specialized Agencies and the Convention on the Safety of United Nations and Associated Personnel;

15. Recommends that the Secretary-General continue to seek the inclusion of, and that host countries include, key provisions of the Convention on the Safety of United Nations and Associated Personnel, among others, those regarding the prevention of attacks against humanitarian personnel and United Nations and associated personnel, the establishment of such attacks as crimes punishable by law and the prosecution or extradition of offenders, in future as well, if necessary, in existing status-of-forces, status-of-mission and host country agreements negotiated between the United Nations and those countries, mindful of the importance of the timely conclusion of such agreements;

16. Requests the Secretary-General to take the necessary measures, falling within his responsibilities, to promote and enhance the security consciousness and measures within the organizational culture of the United Nations system, agencies, funds and programmes, including by disseminating and ensuring the implementation of the security procedures and regulations and by ensuring accountability at all levels;

17. Emphasizes the importance of paying special attention to the safety and security of United Nations and its associated personnel engaged in United Nations peacekeeping and peace-building operations;

18. Also emphasizes the need to give further consideration to the safety and security of locally recruited humanitarian personnel, who account for the majority of casualties;

19. Requests the Secretary-General to take the necessary measures to ensure that United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation are properly informed about and operate in conformity with the minimum operating security standards and relevant codes of conduct and are properly informed about the conditions under which they are called upon to operate and the standards that are required to meet, including those contained in relevant national and international law, and that adequate training in security, human rights law and international humanitarian law is provided to increase their security and effectiveness in accomplishing their functions, and reaffirms the necessity for all other humanitarian organizations to provide their personnel with similar support;

20. Stresses the importance of ensuring that humanitarian personnel and United Nations and associated personnel remain sensitive to national and local customs and traditions in their countries of assignment and communicate clearly their purpose and objectives to local populations;

21. Also stresses the need to ensure that all United Nations staff members receive adequate security training, including physical and psychological training, prior to their deployment to the field, the need to attach a high priority to the improvement of stress and trauma counselling services available to United Nations staff members, including through the implementation of a comprehensive security and stress and trauma management training, support and assistance programme for United Nations staff throughout the system, before, during and after missions, and the need to make available to the Secretary-General the means for that purpose;

22. Recognizes the need for a strengthened and unified security management system for the United Nations, both at the headquarters and the field levels, and requests the United Nations system, as well as Member States, to take all appropriate measures to that end;

23. Takes note of the report of the Secretary-General on a strengthened and unified security management system for the United Nations;

24. Welcomes the ongoing efforts of the Secretary-General to further enhance the security management system of the United Nations, and in this regard invites the United Nations and other humanitarian organizations to strengthen the analysis of threats to their safety and security in order to minimize security risks and to facilitate informed decisions on the maintenance of an effective presence in the field, inter alia, to fulfill their humanitarian mandate;

25. Requests the Secretary-General, inter alia, through the Inter-Agency Security Management Network, to promote increased cooperation and collaboration among United Nations agencies, funds and programmes, including between their headquarters and field offices, in the planning and implementation of measures aimed at improving staff security, training and awareness, and calls upon all relevant United Nations agencies, funds and programmes to support these efforts;

26. Recognizes the need for enhanced coordination and cooperation, both at the headquarters and the field levels, between the United Nations security management system and non-governmental organizations on matters relating to the safety and security of humanitarian personnel and United Nations and its associated personnel, with a view to addressing mutual security concerns in the field;

27. Underlines the need to allocate adequate and predictable resources to the safety and security of United Nations personnel, encourages all States to contribute to the Trust Fund for Security of Staff Members of the United Nations System and to meet requirements in the consolidated appeals, without prejudice to the outcome of the ongoing discussions in the General Assembly regarding the funding for safety and security;

28. Recalls the essential role of telecommunication resources in facilitating the safety of humanitarian personnel and United Nations and its associated personnel, calls upon States to consider acceding to or ratifying the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations of 18 June 1998, and encourages them to facilitate and expedite, consistent with their national laws and regulations, the use of communications equipment in such operations, inter alia, through limiting and, whenever possible, lifting the restrictions
placed on the use of communications equipment by United Nations and its associated personnel.

29. Requests the Secretary-General to submit to the General Assembly at its sixtieth session a comprehensive and updated report on the safety and security of humanitarian personnel and protection of United Nations personnel and on the implementation of the present resolution.

UN Joint Staff Pension Fund

As at 31 December 2004, the United Nations Joint Staff Pension Fund (UNJSPF) had 88,356 active participants compared to 85,245 at the end of 2003; the number of periodic payments in award increased from 52,496 to 53,879 over the year. The breakdown of the periodic benefits in award was 17,338 retirement benefits; 12,092 early retirement benefits; 6,613 deferred retirement benefits; 8,676 widows’ and widowers’ benefits; 960 disability benefits; 8,156 children’s benefits; and 44 secondary dependants’ benefits.

The Fund was administered by the 33-member United Nations Joint Staff Pension Board (UNJSPB), which held its fifty-second session (Montreal, Canada, 13-23 July) [A/59/9 & Add.1] to consider actuarial matters, including the twenty-seventh actuarial valuation of the Fund as at 31 December 2003; management of the Fund’s investments and reports on the investment strategies and performance for the biennium 2002-2003; administrative matters, including the revised budget estimates for the 2004-2005 biennium; the Fund’s benefits provisions, including the methodology for the calculation of the final average remuneration and the comprehensive review of pensionable remuneration; and the size and composition of the Fund and its Standing Committee. The Board also examined and approved the financial statements and schedules for the biennium ended 31 December 2003 and considered the report of the Board of Auditors on the Fund’s accounts and operations. In addition, the Board considered the proposed transfer agreement between the Fund and the Organization for Security and Cooperation in Europe and the World Trade Organization, the integration of the goals of sustainable development and the principles of the Global Compact into the Fund’s operating processes and investment policies, and the possible applications of the Inter-Parliamentary Union, the International Organization for Migration and the International Commission for the Conservation of Atlantic Tunas for membership in the Fund.

ACABQ report. ACABQ, in October [A/59/447], concurred with the Pension Board’s recommendation that the current contribution rate of 23.7 per cent of pensionable remuneration be retained. It also agreed with the Board’s recommendations that the General Assembly approve a phased approach in the elimination of the 1.5 per cent reduction in the first consumer price index adjustments due after retirement; that the Pension Adjustment System be amended to provide for an adjustable minimum guarantee on the local-currency track of 80 per cent of the United States dollar-track amount, with effect from 1 April 2005, on a prospective basis only; and that the Assembly approve additional resources of $5,340,700 for the 2004-2005 biennium for the Fund’s administrative costs. ACABQ expressed concern with the upward trend in the Fund’s administrative expenditures and intended to revert to the matter in the context of its examination of the Fund’s administrative budget proposal for the 2006-2007 biennium.

GENERAL ASSEMBLY ACTION

On 23 December [meeting 76], the General Assembly, on the recommendation of the Fifth Committee [A/59/606], adopted resolution 59/269 without vote [agenda item 117].

United Nations pension system

The General Assembly,
Having considered the report of the United Nations Joint Staff Pension Board on its fifty-second session, the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund and the related report of the Advisory Committee on Administrative and Budgetary Questions,

I

Actuarial matters

Recalling section I of its resolution 57/286,
Having considered the results of the actuarial valuation of the United Nations Joint Staff Pension Fund as at 31 December 2003 and the observations thereon by the Consulting Actuary of the Fund, the Committee of Actuaries and the United Nations Joint Staff Pension Board,

1. Takes note of the developments with respect to the actuarial surplus of the United Nations Joint Staff Pension Fund, which went from 0.36 per cent of pensionable remuneration as at 31 December 1997 to 4.25 per cent of pensionable remuneration as at 31 December 1999 to 2.92 per cent of pensionable remuneration as at 31 December 2001 and to 1.14 per cent of pensionable remuneration as at 31 December 2003, and, in particular, of the opinions on those developments provided by the Consulting Actuary and the Committee of Actuaries, as reproduced in annexes VII and VIII, respectively, to the report of the United Nations Joint Staff Pension Board on its fifty-second session;
2. Also takes note of the Board’s agreement with the recommendation of the Committee of Actuaries that most of the surplus should be retained;

3. Further takes note of the view of the Committee of Actuaries and the recommendation of the Board that the current contribution rate of 23.7 per cent of pensionable remuneration should be maintained;

4. Takes note of the Board’s approval of the terms of reference for the Committee of Actuaries, and notes that the Standing Committee of the Board will consider in 2005 provisions that would allow for the possible appointment of ad hoc members to the Committee of Actuaries;

5. Concurs, in accordance with article 13 of the Regulations of the Fund and with a view to securing continuity of pension rights:

(a) With the revised transfer agreements of the Fund with the Organization for Security and Cooperation in Europe and the World Trade Organization, as approved by the Board and set out in annex IX to the report of the Board, which will supersede existing transfer agreements, effective 1 January 2005;

(b) With the new transfer agreements of the Fund with the Universal Postal Union and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, as approved by the Board and set out in annexes I and II, respectively, to the addendum to the report of the Board, which will become effective on 1 January 2006;

6. Decides, upon the affirmative recommendation of the Board, that the Inter-Parliamentary Union shall be admitted as a new member organization of the Fund, effective 1 January 2005;

II Pension adjustment system

Recalling section II of its resolution 51/286,

Having considered the reviews carried out by the Consulting Actuary, the Committee of Actuaries and the United Nations Joint Staff Pension Board, as set out in the Board’s report, of various aspects of the pension adjustment system,

1. Takes note of the recommendation of the United Nations Joint Staff Pension Board of a phased approach in the elimination of the 1.5 per cent reduction in the first consumer price index adjustments due after retirement, with effect from 1 April 2005, and also takes note of the Board’s recommendation that the two-track pension adjustment system of the United Nations Joint Staff Pension Fund be amended to provide for an adjustable minimum guarantee at 80 per cent of the United States dollar-track amount, with effect from 1 April 2005;

2. Approves, accordingly, with effect from 1 April 2005, the changes in the pension adjustment system set out in the annex to the present resolution, namely:

(a) A phased approach in the elimination of the 1.5 per cent reduction in the first consumer price index adjustments;

(b) The addition of a new provision under the two-track pension adjustment system for an adjustable minimum guarantee at 80 per cent of the United States dollar-track amount, with the understanding that, under the two-track pension adjustment system, benefits are subject to a maximum of 110 or 120 per cent of the local currency track, depending on the date of separation from service, and that the Board will continue to review the costs/savings of all the modifications introduced since 1992 with respect to the two-track feature of the pension adjustment system and will report thereon to the General Assembly every two years on the occasion of the actuarial valuations of the Fund;

3. Requests the Board to review the benefit of the two-track system vis-à-vis the United States dollar track for both the beneficiaries and the Fund as a whole, taking into account the effect of the adjustable minimum guarantee at 80 per cent of the United States dollar-track amount on the utilization rate of the two-track system, and to report thereon to the General Assembly at its sixty-first session;

4. Takes note of the Board’s intention to address in 2006, subject to a favourable actuarial valuation as at 31 December 2005, the possible total elimination of the balance of the 1.5 per cent reduction and, on an equal footing, the possible elimination of the limitation on the right to restoration based on length of prior service;

5. Decides not to consider any further proposals to enhance or improve pension benefits until action is taken on the issues contained in section I, paragraph 4, and section II, paragraphs 2 and 3, of its resolution 57/286;

6. Invites the Board to provide information on the special situation of pensioners living in countries having undergone dollarization and on possible proposals to attenuate the adverse consequences arising from it;

III Financial statements of the United Nations Joint Staff Pension Fund and report of the Board of Auditors

Having considered the financial statements of the United Nations Joint Staff Pension Fund for the biennium ended 31 December 2003, the audit opinion and report of the Board of Auditors thereon, the information provided on the internal audits of the Fund and the observations of the United Nations Joint Staff Pension Board,

1. Takes note of the implementation of the recommendations of the Board of Auditors, as described in paragraphs 11 and 12 of its report on the accounts of the United Nations Joint Staff Pension Fund for the biennium ended 31 December 2003, and stresses the need for the Fund to comply fully and in a timely manner with all recommendations of the Board of Auditors;

2. Takes note with satisfaction of the approval of the United Nations Joint Staff Pension Board of an internal audit charter, which recognizes and incorporates policy changes for the Office of Internal Oversight Services of the Secretariat;

3. Notes that the Standing Committee of the United Nations Joint Staff Pension Board will consider, in 2005, the desirability of and possible terms of reference for an audit committee of the Board;

IV Administrative arrangements of the United Nations Joint Staff Pension Fund

Recalling section VII of its resolution 51/277, section V of its resolutions 52/222, 53/210 and 54/251, section IV of its resolution 55/224, section V of its resolution 56/255, section IV of its resolution 57/286 and section X of its resolution 58/272 concerning the administrative arrangements and expenses of the United Nations Joint Staff Pension Fund,

2. Also takes note of the upward trend in the administrative expenses of the United Nations Joint Staff Pension Fund and of the intention of the Advisory Committee on Administrative and Budgetary Questions to further consider the matter in the context of the Fund’s budget proposals for the biennium 2006-2007;

3. Urges the Board to explore in the amount of $5,340,700 United States dollars for the biennium 2004-2005 for administrative costs of the Fund, noting that the revised estimates for the biennium would amount to a total appropriation of $41,011,800 dollars for administrative costs;

4. Takes note of the arrangements for leasing office space to accommodate in New York, outside United Nations Headquarters, the Fund secretariat and the Investment Management Service;

V
Size and composition of the United Nations Joint Staff Pension Board and its Standing Committee

Stressing the importance of fair representation of participating organizations in the United Nations Joint Staff Pension Board and its Standing Committee,

1. Takes note of the information set out in paragraphs 200 to 210 of the report of the United Nations Joint Staff Pension Board concerning the review of the size and composition of the Board and its Standing Committee and the decision of the Board that the matter should be further studied by the Working Group established to carry out that review, for consideration by the Standing Committee in 2005 and the Board in 2006;

2. Takes note of the possibility of meeting annually for a shorter duration and to report its conclusions, including all financial and administrative implications associated with that possibility, to the General Assembly at its sixty-first session;

VI
Other matters

1. Takes note of the agreement of the United Nations Joint Staff Pension Board:

(a) To make no changes to the current methodology used in the determination of final average remuneration but to consider at the meeting of its Standing Committee in 2005 a study containing actuarial cost assessments of a proposed early retirement protection measure, together with both the positive features and the anomalies that might arise as a consequence;

(b) To consider at the meeting of its Standing Committee in 2005 a report on a possible provision to allow for the purchase by participants in the United Nations Joint Staff Pension Fund of additional years of contributory service;

(c) To consider at the meeting of its Standing Committee in 2005 possible applications for membership in the Fund from the International Organization for Migration and the International Commission for the Conservation of Atlantic Tunas;

(d) To consider at its session in 2006 a study on all benefit provisions relating to family benefits;

2. Takes note with satisfaction of the progress report on the Fund’s management charter, which introduced specific goals and objectives, a detailed action plan for achieving such goals and the status report on the implementation of each goal;

3. Takes note of the arrangements with respect to the comprehensive review of pensionable remuneration that is to be carried out by the International Civil Service Commission in close cooperation with the Board, and also takes note of the timetable and framework for the required close collaboration between the two bodies;

VII
Investments of the United Nations Joint Staff Pension Fund

1. Takes note of the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund, as well as the observations of the United Nations Joint Staff Pension Board set out in paragraphs 99 to 102 of its report;

2. Also takes note of the significant increase in the market value of the Fund’s assets and the positive returns achieved during the biennium;

3. Notes that a comprehensive review will be carried out of the investment policies and practices of the Investment Management Service with a view to addressing the findings and recommendations contained in the audit reports of the Office of Internal Oversight Services of the Secretariat and the Board of Auditors;

4. Takes note of the Board’s approval of the terms of reference for the Investments Committee, which will take effect on 1 January 2005;

VIII
Diversification of investments of the United Nations Joint Staff Pension Fund

Recalling its resolutions 36/119 A to C of 10 December 1981,

1. Takes note of the increase in investments of the United Nations Joint Staff Pension Fund in developing countries, and requests the Secretary-General to report to the General Assembly at its sixty-first session on the steps and efforts undertaken to increase, to the maximum extent possible, investments in developing countries;

2. Reaffirms the policy of diversification of the investments of the Fund across geographical areas, wherever this serves the interests of the participants and beneficiaries of the Fund, in accordance with the four criteria of safety, profitability, liquidity and convertibility;

IX
Implementation of the recommendations of the Office of Internal Oversight Services on the Investment Management Service of the United Nations Joint Staff Pension Fund

Recalling its resolution 58/279 of 23 December 2003,

Having considered the report of the Secretary-General,

Takes note of the report of the Secretary-General.

Annex

Changes to the pension adjustment system of the United Nations Joint Staff Pension Fund

Section H. Subsequent adjustments of the benefit

Add the following new text at the end of paragraph 20:

"Effective 1 April 2005, the reduction in the initial adjustments due after separation shall be by 1.0 percen-
tage point; with respect to benefits to which the 1.5 percentage point reduction was applied before 1 April 2005, there shall be a 0.5 percentage point increase in the first adjustments due on or after 1 April 2005.”

Section I. Payment of the benefit

Add the following new text at the end of paragraph 23:

“The limitations described in (a) and (b) above shall not result in a benefit being smaller than either the United States dollar base amount determined in accordance with the Regulations of the Fund or 80 per cent of the adjusted United States dollar-track amount.”

Also on 23 December, the Assembly, by decision 59/552, decided that the agenda item on the UN pension system would remain for consideration during its resumed fifty-ninth (2005) session.

Pension Fund investments

The market value of UNJSPF assets as at 31 December 2004 was $29.2 billion, an increase of about 13.6 per cent over the previous year. The Fund’s investment assets were distributed in equities (62.5 per cent), bonds (25.7 per cent), real-estate related instruments (5.5 per cent) and short-term holdings (6.3 per cent). The total investment return, as at 31 March 2004, was 28.7 per cent, which after adjustment for the United States consumer price index, represented a real rate of 26.5 per cent.

In October [A/C.5/59/11], the Secretary-General described the economic and investment conditions prevailing in the reporting period ended 31 March 2004 and provided statistical information on the Fund’s investment returns and diversification, including development-related investments.

Implementation of OIOS recommendations

In response to General Assembly resolution 58/279 [YUN 2003, p. 1458], the Secretary-General submitted a March report [A/58/725] on the implementation of the 2003 OIOS recommendations on the Investment Management Services of UNJSPF [YUN 2003, p. 1458]. The recommendations covered investment management and procurement and contract administration. Their implementation status was covered in an annex to the report.

On 8 April, the Assembly decided to defer until its fifty-ninth (2004) session consideration of the Secretary-General’s report on the implementation of OIOS recommendations on the Investment Management Service of UNJSPF (decision 58/564 B).

Travel-related matters

In October, the Secretary-General submitted a biennial report on standards of accommodation for air travel [A/59/525], listing exceptions to those standards from 1 July 2002 to 30 June 2004 and comparative statistics for the two-year period ended 30 June 2002.

During the 2002-2004 period, the Secretary-General authorized 98 cases of first-class and 138 of business-class air travel, as exceptions to the standards of accommodations, and 87 and 74, respectively, during the 2000-2002 period. Included in the first-class group were the Deputy Secretary-General, the President of the General Assembly and the Secretary-General’s personal aide/security officer.

ACABQ report. On 17 November [A/59/573], ACABQ reiterated its request for information on the date of booking, travel dates, itinerary and number of travel days and the nature of the event being attended. It was of the opinion that the time had come to reconsider the whole question of first-class travel. The Committee observed that, in recent years, many airlines had significantly cut back, if not entirely eliminated, first-class sections on aircraft. Instead, several varieties of enhanced business-class travel had been developed, and it appeared that differences in the level of accommodation between those classes and first class were minimal. Taking those developments into account, the General Assembly might wish to give further guidance on the future use of first-class travel with a view to its use in only the most exceptional circumstances.

Administration of justice

The General Assembly, at its resumed fifty-eighth session, had before it for consideration the 18 November 2003 letter from the President of the United Nations Administrative Tribunal addressed to the Chairman of the Fifth Committee [A/C.5/58/16] and the comprehensive report on the activities of the Tribunal [A/58/680] (see p. 1443). By decision 58/576 of 13 September, the Assembly decided to defer consideration of the item entitled “Administration of justice at the United Nations” and to include it in the draft agenda of its fifty-ninth (2004) session.

Follow-up to resolution 57/307

The Secretary-General submitted an October report [A/59/448] on the administration of justice in the Secretariat, in which he outlined action taken to implement General Assembly resolution 57/307 [YUN 2003, p. 1459]. The report examined the findings of the management review of the ap-
peals process conducted by OIOS (see below), alternatives for strengthening the administration of justice, and action taken in respect of the independence of the United Nations Administrative Tribunal (see p. 1443), proposals on the role and work of the Panels on Discrimination and other grievances (see below), activities of the United Nations Administrative Tribunal (see p. 1443), written notification of allegations to staff members, and personal financial responsibility of officials for financial losses to the Organization caused by gross negligence. The Secretary-General also reported on legal insurance schemes and provided statistics on the disposition of cases and work of the Panel of Counsel.

On 23 December, the Assembly deferred until its resumed fifty-ninth (2005) session consideration of the Secretary-General’s report (decision 59/551). Also on the same date, the Assembly decided that the agenda item on the administration of justice at the United Nations would remain for consideration until its resumed fifty-ninth (2005) session (decision 59/552).

Panels on Discrimination and Other Grievances

Report of Secretary-General. In response to General Assembly resolution 57/307 [YUN 2002, p. 149], the Secretary-General submitted an October report on the work and role of the Panels on Discrimination and Other Grievances [A/59/414]. He agreed with the assessment of the team, which had been requested by the Ombudsman to review the functions of the Panels, that they were not effective in their current form, though he recognized that many staff members valued their existence. After consulting with the Ombudsman and staff representatives, the Secretary-General proposed to the Assembly two options as to the future role of the Panels. Under option one, the Panels would be eliminated and their functions assumed by the Office of the Ombudsman. He believed that their elimination would not deprive staff of having their complaints considered by their peers, as that could be done informally, as part of the conciliation carried out by the Joint Appeals Board (JAB), and they could raise employment-related issues with the Ombudsman, which would be appealable to the formal recourse system. Option two would establish a successor mechanism to the Panels, by which the Panels would be abolished and some of their functions (notably, the functions of fact-finding and of writing recommendations) would be taken over by new joint bodies of peers, to be named joint grievance committees, which would be administratively attached to JAB. If the Assembly decided to endorse the second option, it would be necessary that the members of the proposed joint grievance committees be provided with adequate resources in terms of training and administrative support, and would require system-wide consultation with the staff.

On 23 December, the Assembly deferred consideration of the Secretary-General’s report until its resumed fifty-ninth (2005) session (decision 59/551).

Management review of the appeals process

OIOS report. Pursuant to General Assembly resolution 48/218 B [YUN 1994, p. 1362], 54/244 [YUN 1999, p. 1274] and 57/307, the Secretary-General transmitted an October report [A/59/408] on the management review of the appeals process at the United Nations carried out by OIOS from March to July 2004. In performing the review, OIOS focused on procedural and institutional matters. Accordingly, its findings could be grouped into four main categories: the time taken to complete the process; the institutional roles played by the various entities in the process; the resources available to the respective parties; and training and communication. With respect to the time taken to complete the process, OIOS found that the appeals process at most duty stations could be shortened, as during the past five years, the average time had ranged from 27 to 37 months for New York, 15 to 26 for Geneva, and 10 to 26 for Nairobi. Only in Vienna were appeals completed in 10 to 17 months. Such delays were attributed to gaps in the formal guidelines that governed the time lines for the process and bottlenecks in productivity caused by insufficient resources. OIOS recommended new time lines as set out in annex III to its report; the amendment of the staff rule III.2 (a) to allow staff wishing to appeal an administrative decision to first address a letter to the Secretary-General, copied to the relevant department or office, requesting that the administrative decision be reviewed; and that the JAB secretariat be directed to amend the Rules of Procedure to allow for only one extension, of no more than one month, to the respondent for preparation of an initial reply.

Regarding the resources available to the respective parties, OIOS found that respondents had available to them the five staff members, including one P-5 and two P-4s, who comprised the Administrative Law Unit of the Office of Human Resources Management (OHRM). Appellants had only the two General Service staff members and the volunteers provided through the Panel of Counsel available to them. Appellants had to pay the costs of any outside legal assistance, while respondents’ legal costs were borne by the Organization. OIOS recommended that OHRM
assess after one year the extent to which extra staff had reduced the delays in preparation of the respondent’s replies and consider the need to amend the Staff Rules, whereby the Secretary-General would approve by default the appellant’s access to the Administrative Tribunal should the respondent fail to respond within the prescribed time frame. It also made specific recommendations for additional staff resources to strengthen the resources available to the appellants, such as the establishment of a full-time post of Secretary for JAB, an Appeals Board and recruitment of additional Professional staff for the Panel of Counsel in New York.

With respect to the institutional roles played by the several entities in the process, OIOS found that the Department of Management served as respondent, handling the appeals process through the Administrative Law Unit as representative of the Secretary-General, and took decisions on the recommendations of the JAB Panel on behalf of the Secretary-General. OIOS recommended clarification of accountability and measures to mitigate conflict of interest.

As to training and communication, OIOS found that there were shortcomings in the training provided to members of JAB and the Panel of Counsel. OIOS also found that there was scope for improving the access of staff to information about the status of their appeals through secure electronic means.

The Secretary-General concurred with the OIOS recommendations, subject to the observations provided by the Secretariat, which he further elaborated in his report on the administration of justice (see p. 1441).

On 23 December, the Assembly deferred consideration of the Secretary-General’s report to its resumed fifty-ninth (2005) session (decision 59/551).

Joint Appeals Board

In response to section XI of General Assembly resolution 55/258 [YUN 2001, p. 1340], the Secretary-General submitted a March report [A/59/70]. On the outcome of the work of JAB in 2003. He stated that 145 appeals were filed in New York, Geneva, Vienna and Nairobi in 2003, compared to 159 cases the previous year. JAB disposed of 131 cases compared to 119 in 2002. Regarding disciplinary cases, which were accorded priority, 18 such cases were considered in 2003, compared to 11 the previous year. The Secretary-General accepted fully or partially 84 per cent of unanimous JAB decisions favourable to appellants in 2003 and rejected 17 per cent, compared to 85 per cent acceptances and 15 per cent rejections in 2002.

On 23 December, the Assembly deferred consideration of the Secretary-General’s report to its resumed fifty-ninth (2005) session (decision 59/551).

UN Administrative Tribunal

In its annual note to the General Assembly [A/INF/59/5], the United Nations Administrative Tribunal (UNAT) reported in December, through the Secretary-General, that it delivered 39 judgements in 2004, relating to cases brought by staff against the Secretary-General or the executive heads of other UN bodies to resolve disputes involving terms of appointment and other issues. The Tribunal met in plenary in New York on 23 November and held two panel sessions (Geneva, 21 June–25 July; New York, 25 October–24 November).

UNAT report. Pursuant to Assembly resolution 57/307 [YUN 2003, p. 1439], UNAT submitted a January report [A/58/680] on its activities, which provided information on its organization, jurisdiction, functioning, judicial work and finances. The Tribunal supported the strengthening of the existing system and saw no great merit in radically modifying it or in creating a new one. UNAT stressed the importance of presenting an annual report to the Assembly, in order to keep it informed of emerging jurisprudence and of some of the possible conflict between the Administration and staff members and to draw to its attention administrative practices that needed correction.

Report of Secretary-General. In response to General Assembly resolutions 57/307 and 58/270 [YUN 2003, p. 1399], the Secretary-General, in May [A/59/78], reported on the possibility of the financial independence of UNAT from the Office of Legal Affairs (OLA). The OLA Executive Office supported UNAT’s secretariat in its day-to-day operations by providing administrative and logistical services as requested by the Executive Secretary. Without such service, UNAT’s secretariat would need an entire administrative infrastructure of its own. UNAT was financially independent from OLA insofar as separate budgetary provisions were made for its operation under the heading “policy-making organs” of Section 8, Office of Legal Affairs, of the programme budget. However, to avoid any appearance of undue influence by the Respondent, the Secretary-General proposed that UNAT and its secretariat be included under Section 1, Overall policymaking, direction and coordination, of the programme budget. He recommended that the As-
JIU report. In August [A/59/280 & Corr.1], the Secretary-General transmitted the Joint Inspection Unit (JIU) report on the harmonization of UNAT and the International Labour Organization Administrative Tribunal (ILOAT), prepared in response to General Assembly resolution 57/307. The objective of the report was to provide a definitive opinion of the feasibility of harmonizing the statutes of the two Tribunals. JIU concluded that there were only three major differences between the two Tribunals: selection and appointment of their members; authority of the Tribunals to order specific performance by the executive heads; and limitations on the amount of compensation that might be awarded by the Tribunals. Eliminating those discrepancies should close the gap between them, remove the perception of inequality within the UN internal justice system and strengthen the UN common system with regard to administration of justice. The Inspectors were of the view that all other differences in the statutes and practices of the two Tribunals were minor and did not materially affect the administration of justice, thus bringing the issue of any further harmonization of the statutes to a close.

JIU recommended that the Assembly should continue to keep under review the issue of selection and appointment of UNAT members with a view to bringing those practices into conformity with the statute and practices of ILOAT, and amend article 10 of UNAT’s statute to bring it into conformity with ILOAT’s statute and settle the issues of specific performance and compensation limitations. The Assembly should continue to treat, as a matter of priority, the improvement of other elements of the process of internal justice that preceded the Tribunal stage of a dispute, since those processes were slow and cumbersome, and expediting and improving them could lead to fewer cases being brought to the Tribunal and result in less costly decisions and procedures. The Secretary-General should invite CEB to develop a mechanism to enhance cooperation and facilitate professional exchange and regular dialogue between UNAT, ILOAT and other international administrative tribunals, particularly with respect to the uniform and consistent application of case law.

In an addendum [A/59/280/Add.1], the Secretary-General presented his comments on the JIU report, which he welcomed, and invited the Assembly to take into consideration the views expressed in his 2002 report on the administration of justice [YUN 2002, p. 1425].

On 23 December, the Assembly deferred consideration of the JIU report and the Secretary-General’s comments thereon until its resumed fifty-ninth (2005) session (decision 59/551).