Chapter III

United Nations staff

In 2000, the General Assembly, through the International Civil Service Commission (ICSC), maintained continuous review of the conditions of service of the staff of the UN common system. It adopted a number of ICSC recommendations updating conditions of service, among them the base/floor salary scale, the common staff assessment scale, the post adjustment system, dependency allowances and the education grant. The Assembly took note of progress made in finalizing the draft standards of conduct for the international civil service and welcomed the adoption by ICSC of the integrated framework for human resources management.

The Secretary-General kept the Assembly abreast of the proposed review of ICSC as part of his ongoing programme for UN reform and reported on developments related to staff composition, the use of gratis personnel, consultants, individual contractors and retirees, the status of women in the Secretariat, regulations governing the status, rights and duties of the Secretary-General, non-Secretariat officials and experts on mission, and adherence to regulations governing standards of accommodation for air travel of UN officials.

The Office of Internal Oversight Services audited the Secretariat's recruitment process, while the Joint Inspection Unit (JIU) examined the process of senior-level appointments, assessed the implementation of delegation of authority to department and office heads and reviewed the machinery for the administration of justice in the United Nations, following which the Assembly amended the Statute of the United Nations Administrative Tribunal.

In the face of increasing threats and attacks against UN and associated personnel serving in the field, the Security Council and the Assembly stressed that the responsibility for the security and safety of such personnel lay primarily on the host Governments, which were strongly urged to take protective measures and to prosecute the perpetrators of such acts. In addition, the Secretary-General appointed a United Nations Security Coordinator to assist him in fulfilling his obligation to ensure the security of UN personnel.

The Assembly established the United Nations System Staff College, with effect from 1 January 2001, making it a system-wide knowledge management, training and learning establishment.

In other action, the Assembly approved changes to the pension adjustment system and amendments to the Regulations of the United Nations Joint Staff Pension Fund.

Conditions of service

International Civil Service Commission

The International Civil Service Commission (ICSC), a 15-member body established in 1974 by General Assembly resolution 3357(XXIX) [YUN 1974, p. 875], continued in 2000 to regulate and coordinate the conditions of service of the UN common system of salaries and allowances. The United Nations and 12 related organizations had accepted the ICSC statute: the International Labour Organization (ILO); the Food and Agriculture Organization of the United Nations (FAO); the United Nations Educational, Scientific and Cultural Organization; the World Health Organization; the International Civil Aviation Organization (ICAO); the Universal Postal Union; the International Telecommunication Union; the World Meteorological Organization; the International Maritime Organization; the World Intellectual Property Organization; the United Nations Industrial Development Organization; and the International Atomic Energy Agency (IAEA). One other organization, the International Fund for Agricultural Development, had not formally accepted the statute but participated fully in ICSC work.

ICSC held its fifty-first (Vienna, 3-20 April) and its fifty-second (New York, 17 July-4 August) sessions in 2000. At those sessions, it considered, in addition to organizational matters, the conditions of service applicable to both Professional and General Service categories of staff and those pertaining specifically either to the Professional and higher categories or to the General Service and other locally recruited categories.

The deliberations, recommendations and decisions of ICSC on those matters were detailed in its twenty-sixth annual report to the Assembly [A/55/30] (see sections below).
In a November statement on the administrative and financial implications of ICSC decisions and recommendations [A/55/629] for the 2000-2001 programme budget, the Secretary-General estimated the resultant increased requirements at $5,736,846, net of staff assessment.

GENERAL ASSEMBLY ACTION

On 23 December [meeting 89], the General Assembly, on the recommendation of the Fifth (Administrative and Budgetary) Committee [A/55/709], adopted resolution 55/223 without vote [agenda item 124].

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 the year 2000 and the statement submitted by the Secretary-General on the administrative and financial implications of the decisions and recommendations contained in the report of the Commission, 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, Convinced that the common system constitutes the best instrument to secure staff of the highest standards of efficiency, competence and integrity for the international civil service, as stipulated under the Charter of the United Nations, Reaffirming the central role of the Commission in the regulation and coordination of the conditions of service of the United Nations common system, Reaffirming also the statute of the Commission,

I. Conditions of service applicable to both categories of staff

A. Framework for human resources management


1. Welcomes with appreciation the work of the Commission with regard to the integrated framework for human resources management, which would assist organizations of the common system to carry forward human resources management reforms;
2. Endorses the conclusions of the Commission as contained in paragraph 19 of its report;
3. Requests the Commission to use the integrated framework as a guide to its future programme of work as contained in paragraph 18 of its report;
4. Encourages the organizations of the United Nations common system to use the integrated framework as a basis for their future work in human resources policies and procedures and to bring it to the attention of their governing bodies;

B. Standards of conduct for the international civil service

Recalling its resolutions 52/252 of 8 September 1998 and 54/238,

C. Review of pay and benefits system

Recalling its resolutions 51/216, 52/216 and 53/209,

1. Takes note of the decisions of the Commission contained in paragraph 31 of its report, urges organizations to reach consensus on the draft standards of conduct for the international civil service in sufficient time so as to enable the Commission to finalize the text to be submitted to the General Assembly at its fifty-sixth session, and emphasizes that the proposed standards should ensure that the staff uphold the principles of integrity, impartiality and independence;

D. Recognition of language knowledge

Recalling section II.E of its resolution 48/224 of 23 December 1993 and section II.B of its resolution 53/209,

Takes note of the decision of the Commission to address the issue of recognition of language knowledge within the context of the comprehensive review of the pay and benefits system;

E. Education grant

Recalling section III.C of its resolution 54/238, by which it requested the Commission to complete the review of the methodology for the education grant and report the results to the General Assembly at its fifty-fifth session,

Takes note of the decisions and recommendations of the Commission in respect of the review of the methodology for the education grant as contained in paragraph 81 of its report;

2. Urges the organizations of the United Nations common system to harmonize their rules and regulations to ensure that the education grant is treated as a benefit payable to internationally recruited staff with expatriate status only;
3. Approves increases in the maximum reimbursement levels in five currency areas, as well as other adjustments to the management of expenses under the education grant, as contained in paragraph 93 of its report;
4. Takes note of the decisions of the Commission as contained in paragraphs 94 and 95 of its report;

F. Common scale of staff assessment

Recalling its resolutions 48/225 of 23 December 1993 and 51/216,

Takes note of the decisions of the Commission as contained in paragraph 102 of its report;

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

A. Noblemaire principle and its application

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

1. Reaffirms the continued 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;

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

Recalling section I.A of its resolution 50/208 of 23 December 1995,

1. Takes note of the updated grade equivalency study undertaken in 2000 by the Commission with the United States federal civil service;

2. Also takes note of the decisions of the Commission in respect of the grade equivalency study undertaken in 2000 with the comparator civil service as contained in paragraph 149 of its report;

**G. Evolution of the margin**

Recalling section I.B of its resolution 52/216 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”),

Recalling also section IX, paragraph 3, of its resolution 46/191 of 20 December 1991, in which it requested the Commission to include in its work a review of the differences between the United Nations and the United States net remuneration at individual grade levels,

1. Notes that the margin between the net remuneration of 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 for 2000 is 113.3, based on the results of the grade equivalency study between the United Nations and the United States carried out in 2000;

2. Also notes from annex V to the report of the Commission that the United Nations/United States remuneration ratios range from 1199 at the P-2 level to 105.5 at the D-2 level, and considers that this imbalance should be addressed in the context of the overall margin considerations established by the General Assembly;

**D. Base/floor salary scale**

Recalling section I.H of its resolution 44/198, 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),

1. Approves, with effect from 1 March 2001, the revised base scale of gross and net salaries for staff in the Professional and higher categories, contained in the annex to the present resolution;

2. Requests the Commission, in the context of the review of the pay and benefits system, to review the firm linkage between the base/floor salary scale and the mobility and hardship allowance;

**E. Dependency allowances**

Recalling section II.F, paragraph 2, of its resolution 47/216 of 23 December 1992, in which it noted that the Commission would review the level of dependency allowances every two years,

Recalling also section I.F, paragraph 4, of its resolution 53/209, in which it requested the Commission to examine the methodology, rationale and scope of the allowances,

Noting that the review of dependency allowances carried out by the Commission reflected relevant changes in tax abatement and social legislation at the seven headquarters duty stations since 1998,

1. Takes note of the decision of the Commission with regard to the methodology, rationale and scope of the allowances;

2. Approves, with effect from 1 January 2001, an increase of 11.89 per cent in the children's allowance, including that for disabled children, and in the secondary dependant's allowance;

3. Takes note of the updated list of hard-currency duty stations for which the allowances are specified in local currency, as contained in annex VIII to the report of the Commission;

4. Notes that dependency allowances payable to eligible United Nations common system staff should be reduced by the amount of any direct payments received from a Government in respect of dependants;

**F. Post adjustment matters**

Recalling its request in section II.G of its resolution 48/224 regarding the conduct of place-to-place surveys at headquarters duty stations,

1. Welcomes the review of the operation of the post adjustment system carried out by the Commission;

2. Takes note of the decisions reached by the Commission as contained in paragraph 157 of its report;

**III Conditions of service of the General Service and other locally recruited categories**

**A. Survey of best prevailing conditions of employment in New York and Montreal**

Recalling section II.A of its resolution 52/216, in which it reaffirmed that the Flemming principle should continue to serve as the basis for determining the conditions of service of the General Service and related categories and endorsed the revised methodology for surveys of best prevailing conditions of employment for these categories,

Takes note of the results of the salary surveys conducted in New York and Montreal, as reported in chapter V of the report of the Commission;

**B. Review of the headquarters salary survey methodology: decisions of the International Labour Organization Administrative Tribunal regarding the phasing out of the language factor in Rome and Vienna**

Recalling section III, paragraph 2, of its resolution 47/216 and section II.E of its resolution 48/224,

Takes note of the decision of the Commission with regard to the treatment of the language factor, as contained in paragraph 192 of its report;

**IV Strengthening the international civil service**

Decides to defer consideration of the reports of the Secretary-General with a view to taking a decision on strengthening the international civil service at the first part of its resumed fifty-fifth session.
ANNEX

Salary scale for staff in the Professional and higher categories showing annual gross salaries and net equivalents after application of staff assessment

(United States dollars)

(Effective 1 March 2001)

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D = Rate applicable to staff members with a dependent spouse or child.

S = Rate applicable to staff members with no dependent spouse or child.

*This scale will be implemented in conjunction with a consolidation of 5.1 percent of post adjustment. There will be consequential adjustments in post adjustment indices and multipliers at all duty stations effective 1 March 2001. Thereafter, changes in post adjustment classifications will be implemented on the basis of the movements of the consolidated post adjustment indices.*
Also on 23 December, the Assembly decided that the agenda item on the UN common system would remain for consideration during its resumed fifty-fifth (2001) session (decision 55/458) and that the Fifth Committee should continue to consider it at that session (decision 55/455).

**Functioning of ICSC**

**Review of ICSC**

In response to General Assembly resolution 54/238 [YUN 1999, p. 1321], the Secretary-General submitted, in October [A/55/526], a report identifying the specific reasons for the proposed review of ICSC [YUN 1998, p. 1300], its objectives and desired impact on the UN common system, the outcomes of previous reviews and the particular problems to be addressed.

The Secretary-General stated that the proposed review was an integral part of the current reform processes under way in all organizations of the common system to strengthen that system's capacity to meet effectively new and complex challenges facing it and the international civil service. Its goal was to reinforce and modernize the system and to determine how to maximize ICSC's contribution to those objectives. The review would examine specifically ICSC's mission, membership and functioning and reappraise the complex network of relationships built into its statute. Although the provisions of the ICSC statute had stood the test of time, it was important to keep them under review to ensure the continued fulfillment of their intent and their adaptability to changing needs and circumstances. The review should be an independent one. It should serve to enhance the Assembly's role as the legislative organ for the common system and ICSC's role in maintaining the strength of the system, as well as to ensure the capacity and technical expertise of ICSC to provide timely advice and guidance to its constituents on matters impacting on organizational change.

The Secretary-General invited the Assembly to proceed with the proposed review at its current session, in consultation with Member States, ICSC and its interlocutors.

**Remuneration issues**

Pursuant to the standing mandate in General Assembly resolution 52/216 [YUN 1992, p. 1055] and to resolution 54/238 [YUN 1999, p. 1321], 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).

Whereas a remuneration margin of 113.8 was forecast for 2000, based on current grade equivalencies, the five-yearly grade equivalency study undertaken by ICSC during the year with the comparator civil service showed an agreement rate of 92 per cent and resulted in a revised margin of 113.3. As shown by annex V to the ICSC report, the net remuneration margin calculation, based on the incorporation of the study's results, yielded relatively high margin levels at lower common system grades and relatively low margin at higher grades. Following its consideration of the views of the common system's organizations and staff representatives and its review of specific issues related to the grade equivalencies and resultant remuneration comparisons, ICSC endorsed the results of the 2000 equivalency exercise for remuneration purposes and requested its secretariat to review the current methodology, with a view to streamlining the process so as to reduce administrative costs without jeopardizing the quality of future grade equivalency studies.

In view of the upward movement of the comparator civil service salaries as at 1 January 2000, ICSC recommended that, with effect from 1 March 2001, the current base/floor salary scale for the Professional and higher categories in the UN common system should be increased by 5.1 per cent through standard consolidation procedures, on a no-loss/no-gain basis. The proposed revised base/floor salary scale and associated staff assessment scale were set out in annexes VI and VII to the ICSC report [A/55/30].

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 and other locally recruited categories of staff at the ICAO duty station in Montreal, with a reference date of November 1999. The survey resulted in the recommendation of a new ICAO salary scale, as reproduced in annex IX to the ICSC report, and of revised rates for dependency allowances.

ICSC also conducted surveys of employment conditions for staff in the General Service, Language Teachers, Public Information Assistant, Trades and Crafts and Security Service categories in New York, with a reference date of 1 May 2000. The surveys resulted in increases of 2.92 per cent for the General Service and Public Information Assistant categories and of 7.66 per cent for the Security Service category. Accordingly, ICSC recommended revised salary scales for those...
categories, as reflected in annex X to its report. Since, based on available data, a valid salary comparison for the Trades and Crafts category was not possible, ICSC instructed its secretariat to continue data collection to permit meaningful analysis.

As a result of the application of the 1993 revised methodology for surveys of the best prevailing employment conditions at headquarters duty stations [YUN 1993, p. 1228] to the 1994 survey of General Service salaries at FAO and to the 1996 survey at IAEA, ICSC decided that the 4 per cent language factor previously applied to those duty stations should be phased out at an annual rate of 1 per cent. The FAO survey was challenged by some staff in the ILO Administrative Tribunal, as was the IAEA survey. The Tribunal had set aside FAO's implementation of the 1995 ICSC decision approving the FAO survey insofar as that decision reduced the language factor.

In its Judgement 1915 of 2 February 2000 pertaining to the IAEA complaint, the Tribunal, referring to the Flemming principle on which the survey methodologies were based, stated that what Flemming ordained was that General Service staff should have pay and other terms of employment that matched the best on offer at their duty station; and that it was right to adjust pay by a language factor when jobs that did not require proficiency in a second language were matched with jobs that did, but wrong when the matching was with outside posts requiring but not compensating proficiency in a second language. The Tribunal subsequently dismissed the two complaints.

In the light of the Tribunal Judgement, ICSC, on the proposal of its secretariat, decided that, at the next survey at duty stations where the local language was not a working language of the organization, employers should be carefully surveyed to find out what bonus or other payments, if any, were made to staff members required to work in a working language of the organization; and that the results of that determination should be appropriately reflected in the pay scales established by the survey.

Common staff assessment scale

In keeping 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 the determination of pensionable remuneration levels, ICSC, at its fifty-second session, conducted an examination of tax changes at the seven duty stations between 1997 and 1999. Finding only minimal tax increases or decreases at the relevant income levels, ICSC recommended the continued application of the current scale and its review during the next comprehensive review of pensionable remuneration, which, for work programme reasons, was postponed from 2002 to 2004.

Post adjustment

ICSC continued at its fifty-first session to review the operation of the post adjustment system. It considered the report of its Advisory Committee on Post Adjustment Questions on the subject and approved its recommendations on the methodology to be applied in the 2000 round of cost-of-living (place-to-place) surveys at headquarters duty stations, Berne (Switzerland) and Washington, D.C. Those recommendations related to the simplification of the post adjustment index structure; updating the list of items and specifications for the basket of goods and services; the procedures for the establishment of expenditure weights; the treatment of United States dollar-driven expenditures and housing data collected from staff; the procedures for price collection at headquarters duty stations; the selection of outlets; and the timetable for the place-to-place surveys.

Other remuneration issues

Conditions of service and compensation for non-Secretariat officials serving the General Assembly

In accordance with the schedule established by General Assembly resolution 35/221 [YUN 1980, p. 1173], the Secretary-General submitted a December report [A/C.5/55/29] on the five-year review of the conditions of service of the Chairman of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and of the ICSC Chairman and Vice-Chairman. The report noted that, as at 1 January 2000, the annual net compensation of the ACABQ and ICSC Chairmen represented 90.4 per cent of the annual net salaries of the referenced senior Secretariat officials' level, as against 97 per cent obtaining at the last comprehensive review in 1996. To restore that compensation relativity, the Secretary-General recommended, in addition to the cost-of-living increase due on 1 January 2001, a 3.1 per cent increase in the current remuneration levels of the three officials, with a corresponding adjustment to their pensionable remuneration.

Therefore, based on the estimated 7 per cent movement in the consumer price index for New York and the recommended 3.1 per cent adjustment, the pensionable remunerations of the ACABQ and ICSC Chairmen should be revised from $176,400 to $194,599 and, of the ICSC Vice-
Chairman, from $166,950 to $184,174, as from 1 January 2001.

By resolution 55/238, section VII (see p. 1300), of 23 December, the General Assembly took note of the Secretary-General's report, approved his suggestions and decided to examine the issue of compensation relativity in the context of the next five-year review.

Dependency allowances

In the light of its biennial review of dependency allowances for the Professional and higher categories conducted in 2000, ICSC examined the methodology for those allowances and their basic rationale and scope [A/55/30]. It recommended to the General Assembly an increase in the children's allowance and in the secondary dependent's allowance to reflect the 11.89 per cent increase in the value of tax abatements and social legislation payments that occurred between January 1998 and January 2000. Thus, the revised annual amounts for duty stations in the United States and in countries where dependency allowances were fixed in United States dollars would be: $1,936 for the children's allowance and $3,872 for the disabled children's allowance; and $693 for the secondary dependent's allowance, all effective 1 January 2001. The current list of duty stations where those allowances were payable in local currencies was to be maintained. The financial implications of those recommendations were estimated at $2.8 million.

Education grant

ICSC action. As requested by the General Assembly in resolution 54/238 [YUN 1999, p. 1321], ICSC reviewed the methodology for determining the education grant levels and the issue of harmonizing other organizations' education grant practices with those of the United Nations. ICSC recommended to the Assembly to continue the education grant as a benefit payable to internationally recruited staff with expatriate status; to ask the organizations to draw to the attention of their governing bodies the issue of harmonizing the staff rules and regulations governing education grant payments along the lines of those of the United Nations; and that further consideration of the grant's scope and purpose be conducted under the ongoing overall review of the pay and benefits system.

ICSC further recommended that, in areas where education-related expenses were incurred in Belgian francs, Irish pounds, Italian lire, Swiss francs and United States dollars in the United States, the levels of maximum admissible expenses and the maximum grant should be set as shown in table 1 of annex IV to the ICSC report [A/55/30]; the maximum amount of admissible expenses and the maximum grant should remain at the current levels for the following currencies: Austrian schilling, deutsche mark, Danish krone, Finnish markka, French franc, Japanese yen, Netherlands guilder, Norwegian krone, pound sterling, Spanish peseta, Swedish krona and United States dollar for expenses incurred in educational institutions outside the United States; the flat rates for boarding to be taken into account within the maximum admissible educational expenses and the additional amounts for reimbursement of boarding costs over and above the maximum grant payable to staff members at designated duty stations should be revised as shown in table 2 of annex IV; and the amount of the special education grant for each disabled child should be equal to 100 percent of the revised amounts of maximum allowable expenses for the regular grant. All of the foregoing measures were to be applicable as from the school year in progress on 1 January 2001.

ICSC maintained the two separate United States dollar areas and the special measures for China and Indonesia, which would allow organizations to reimburse 75 per cent of actual expenses up to and not exceeding the maximum expenditure level in force for the United States dollar inside the United States. It would review the trigger point for adjusting the education grant during the review of the methodology for determining the grant level.

ICSC noted that the system-wide cost implications of the proposed increases were estimated at approximately $860,000 per year in respect of the increase in maximum admissible expenditure level and $186,000 per year in respect of the increase in boarding costs.

OIOS report. Pursuant to General Assembly resolutions 48/218 B [YUN 1994, p. 1362] and 54/244 [YUN 1999, p. 1274], the Secretary-General transmitted, in September [A/55/352 & Cor.1], a report of the Office of Internal Oversight Services (OIOS) on its proactive investigation of the education grant entitlement. The report noted that, of 16 cases of alleged fraudulent education grant claims brought to the attention of OIOS between 1995 and 1999, 10 were substantiated and resulted in the termination of five staff members, in the administrative or disciplinary action of three others and in the resignation of two. Two cases were unsubstantiated, with the staff involved fully cleared, and four were still under investigation. The cases of fraud involved the misappropriation of UN funds totalling $265,000, with the individual cases ranging from several thousand dollars to over $69,000 in one case.
The report also noted that, in 1998, some 1,300 United Nations Headquarters staff members submitted education grant claims for some 3,300 dependants. In that year, payments exceeded $25 million, or an average of some $19,000 per staff member.

The investigation indicated that the education grant entitlement was an area for potential fraud, and its administration prone to error and open to opportunistic behaviour.

OIOS therefore recommended that serious consideration be given to providing the entitlement on a lump-sum basis for each country in which a school was located, making for a streamlined processing of claims, reduced administrative costs and the risk of fraud, and more time for spot checks. Alternatively, claims processing could be centralized in one office at each of the duty stations. Other recommendations called for staff members to be required to produce proof of a private-tuition instructor’s competence; and for an examination of the rule permitting staff to receive a special education grant for a disabled child attending a regular educational institution and not receiving specialized instruction for his or her disability.

**Other staff matters**

**Personnel policies**

**Human resources management**

**ICSC action.** At its fifty first session, ICSC reviewed the draft framework for human resources management, which was completed by the working group created in 1998 [YUN 1998, p. 1309] for that purpose. The framework identified the internal and external forces impacting on human resources strategies. It contained six major human resources areas: ethics and standards of conduct for the international civil service, compensation and benefits, employment, career management, good governance and human resources information management. It had been strengthened by the definitions developed for each area, the identification of core and non-core areas, the linkages to other components and the underlying guiding principles. Core areas were those that bound the UN family together in order to avoid competition in the employment of staff resulting from differences in the compensation package, promote common values of the international civil service and facilitate staff mobility across the system.

ICSC adopted the framework, set out in annex II to its report [A/55/30], as a guide for its future work programme. It recommended that the framework be drawn to the attention of the governing bodies of common system organizations and serve as the basis of their future work on human resources policies and procedures.

**Reports of Secretary General.** Responding to General Assembly resolutions 53/221 [YUN 1999, p. 1324] and 54/248 [ibid., p. 1368], the Secretary-General submitted a 1 August report [A/55/253 & Corr.1] setting out a comprehensive human resources management implementation programme, constituting the next step to his 1997 reform initiatives [YUN 1997, p. 1389] for strategic change to strengthen the Organization’s management systems. The report described work in progress and actions taken or envisaged to realize the goal set for each of the following areas: human resources planning; streamlined rules and procedures; recruitment, placement and promotion; mobility; contractual arrangements; the administration of justice; competencies and continuous learning; performance management; career development; and conditions of service. Also described were measures to enhance accountability mechanisms, monitoring and control procedures integral to the proposed reforms.

The Secretary-General requested specific Assembly action in support of his proposed reform initiatives on recruitment, placement and promotion; mobility; and the amendment to the staff rule covering central review bodies, as set out, respectively, in annexes II, III and X of his report.

In a 3 August report [A/55/270], the Secretary-General delineated the continuum between responsibility, authority and accountability and presented the elements of an integrated accountability system. He outlined the measures taken to address the concerns regarding the overall system, as highlighted in his 1994 report [YUN 1994, p. 1358]. They included: improvements in planning and budgeting to clarify responsibility and performance expectations; revision and streamlining of regulations, rules and administrative issuances; improvements in the procurement process; issuance of new bulletins on organizational structure; implementation of updated regulations and rules governing the conduct of staff; the creation of the Senior Management Group and other coordination mechanisms, and of OIOS; development of information systems, such as the Integrated Management Information System (IMIS), and updating of programme monitoring tools; implementation of the Performance Appraisal System (PAS); improved management training; the introduction of a performance management plan for departmental heads focusing.
on planned programme and management objectives, expected performance standards and a review of achievements; strengthened monitoring by the Department of Management and by OIOS; and the creation of an accountability panel to advise the Secretary-General on accountability matters from a systemic perspective.

The Secretary-General said the Assembly might wish to take note of the mechanisms in place since 1994, including those discussed in the report, which together constituted the comprehensive accountability system for the Organization.

**ACABQ report.** Having reviewed the Secretary-General's reports (see above), ACABQ, in October [A/55/499], recommended: giving priority to the systematic rejuvenation of the Secretariat by retaining younger staff in the light of the Organization's age profile, and to the full development of the Human Resources Management Information System at Headquarters and in the field, since many of the proposed reforms depended on system-wide information dissemination; taking the importance of institutional memory and expertise into account when implementing staff mobility; giving staff requested to remain on mission assignment longer than two years the same guarantees concerning returning to posts as for absences of up to two years; discontinuing 11-month contracts to meet continuing needs and instituting strict controls to prevent the future misuse of general temporary assistance funds; and, when ICSC proposals were before the Assembly, taking account of the indispensability of a competitive package of conditions of service to the successful achievement of mobility and recruitment goals. ACABQ urged the Secretary-General to move expeditiously forward with his proposal to transfer operational and transactional processes from the Office of Human Resources Management (OHRM) to programme managers and to include in annex I to the Secretary-General's 3 August report dealing with measures to ensure accountability an additional element, namely, access to an impartial, fair system of international administration of justice.

The General Assembly, by decision 54/460 B of 7 April, deferred consideration of the agenda item entitled "Human resources management" until its fifty-fifth (2000) session. On 23 December, it decided that the item remained for consideration at its resumed fifty-fifth (2001) session (decision 55/458) and that the Fifth Committee should continue to consider it at that session (decision 55/455).

**Draft standards of conduct for the international civil service**

At its fifty-first session [A/55/30], ICSC reviewed the draft standards of conduct for the international civil service, as updated by a working group, with the full participation of the Coordinating Committee for International Staff Unions and Associations of the United Nations System (CCISUA) and the Federation of International Civil Servants' Associations (FICSA). Following further ICSC revisions to the draft and subject to final comments from the legal advisers of the common system's organizations, to ensure consistency of those revisions with their legal instruments and legislative frameworks, ICSC adopted the draft as revised and circulated it to the organizations and staff associations for their comments. However, in view of the request by the Consultative Committee on Administrative Questions for an opportunity to present the organizations' comments, ICSC postponed finalizing the draft to 2001.

**Staff composition**

In his September annual report on the Secretariat's staff composition [A/55/427 & Corr.1], the Secretary-General updated information on changes in the desirable range of posts for Member States and described measures taken to ensure equitable representation at the senior and policy-making levels. As at 30 June 2000, Secretariat staff numbered 13,164, fewer by 1,155 than at 30 June 1999, due to the reclassification of the United Nations Joint Staff Pension Fund as an inter-organizational body and thus to the separate listing of its staff and to the discontinuance of reporting on locally recruited General Service staff holding indefinite special mission appointments.

Of the 13,164 Secretariat staff, 4,390 were in the Professional and higher categories, 7,977 were in the General Service and related categories and 797 were project personnel; 7,470 were paid from the regular budget and 5,694 from extrabudgetary sources.

Staff in posts subject to geographical distribution numbered 2,389, of whom 936 were female (an increase of 1.1 per cent compared to 1999). Twenty-one Member States remained unrepresented in all staff categories and eight were underrepresented (compared to 24 and 13, respectively, in 1999). Appointments to posts subject to geographical distribution between 1 July 1999 and 30 June 2000 totalled 141. Of those, 9 (6.4 per cent) were nationals of unrepresented Member States, 32 (22.7 per cent) of underrepresented Member States, 97 (68.8 per cent) of within-range Member States and 3 (2.1 per cent) of over-represented Member States. Changes in repre-
sentation status were the result of appointments or separations from service, adjustments to desirable ranges due to an increase or decrease in the number of posts subject to geographical distribution and changes in the number of Member States, in the scale of assessments, in population and in the status of individual staff members.

The report also detailed information on the demographic profile, as well as on Secretariat staff movement from 1 July 1999 to 30 June 2000, racial discrimination and forecasts of anticipated retirements in 2000-2004.

Gratis personnel

Pursuant to General Assembly resolution 51/243 [YUN 1997, p. 1469], the Secretary-General submitted four quarterly reports on the status of types I and II gratis personnel accepted by the United Nations, indicating, inter alia, their nationality, functions and duration of service. The periods covered were 1 October-31 December 1999 [A/C.5/54/51], 1 January-31 March [A/C.5/54/54], 1 April-30 June [A/C.5/55/13] and 1 July-30 September 2000 [A/55/728], which included the annual report for the period from 1 October 1999 to 30 September 2000.

Type I gratis personnel, serving under an established regime, included interns, associate experts, technical cooperation experts obtained on non-reimbursable loans, and gratis personnel who served with the United Nations Special Commission (UNSCOM) and, as at 17 December 1999, with the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), which replaced UNSCOM. Among the type II gratis personnel were a commander, economists, forensic investigation and anthropology officers, inspectors and investigators, laboratory technicians, logistics and medical officers, a nurse and a technical adviser on water resources.

In the annual report, the Secretary-General indicated that between 30 September 1999 and 30 September 2000, the overall number of type I gratis personnel decreased from 629 to 412 (34.5 per cent). During that period, all type II gratis personnel serving with UNMOVIC (25 on 1 January) were phased out; secretariat-wide associate experts decreased from 290 to 250 (14 per cent); the number of interns fell from 296 to 151 (49 per cent); and the number of technical cooperation experts decreased from 18 to 11 (39 per cent). Information on associate and technical cooperation experts and interns, formerly reported separately, were currently consolidated under IMIS.

During the same period, the number of type II gratis personnel decreased from 101 to 43, a reduction of 57 per cent, and 68 per cent if compared with 1998 data. The bulk of type II gratis personnel engaged during September 1999 to September 2000 were with the International Tribunal for the Former Yugoslavia (ICTY). At the end of December 1999, the 92 forensic experts engaged by ICTY for deployment in the Kosovo province of the Federal Republic of Yugoslavia were phased out. However, in response to the Tribunal's request, the Secretary-General, in January [A/54/734], authorized ICTY to accept gratis personnel to complete all forensic investigations. As at September 2000, the number of such experts engaged numbered 41. All type II gratis personnel (20, including the 15 who had been extended and not reported) engaged by the Field Administration and Logistics Division of the Department of Peacekeeping Operations (DPKO) were separated by 1 June 2000. The United Nations Conference on Trade and Development engaged two gratis personnel from 1 October 1999 to 30 September 2000, both of whom were extended for another year. The Economic and Social Commission for Western Asia retained one type II gratis personnel.

Annexed to the report were tables providing information on the number of engagements and separations of type II gratis personnel, their distribution as at 30 September 2000, compared to the previous year, by number, nationality and duration of service, the nature of the functions performed by department or office and the ratio of gratis personnel to regular staff in departments or offices that engaged them. Information was also provided on the evolution of type I gratis personnel.

GENERAL ASSEMBLY ACTION

Following receipt of the Secretary-General's last 1999 quarterly report [A/C.5/54/51], the General Assembly, by decision 54/471 of 7 April 2000, on the recommendation of the Fifth Committee [A/54/827], deferred consideration of the question of gratis personnel provided by Governments and other entities until the second part of its resumed fifty-fourth (2000) session.

On 15 June [meeting 98], the Assembly, on the recommendation of the Fifth Committee [A/54/827/Add.1], adopted resolution 54/264 without vote [agenda items 118 & 164].

Gratis personnel provided by Governments

The General Assembly,

Reaffirming its resolutions 51/243 of 15 September 1997, 52/234 of 26 June 1998 and 53/218 of 7 April 1999,

Having considered the reports of the Secretary-General and the related reports of the Advisory Committee on Administrative and Budgetary Questions,
1. Takes note of the reports of the Secretary-General and the related reports of the Advisory Committee on Administrative and Budgetary Questions;

2. Endorses the observations of the Advisory Committee in its report, in particular paragraphs 2 and 4, and requests that all future proposals by the Secretary-General on gratis personnel and the subsequent implementation of legislative mandates be in full compliance with relevant General Assembly resolutions and fully respect the relevant policies, procedures and regulations of the United Nations;

3. Stresses the need for an effective monitoring system in the Office of Human Resources Management of the Secretariat with regard to delegation of authority for gratis personnel to offices away from Headquarters;

4. Notes with concern the inaccurate information provided in paragraph 8 of the report of the Secretary-General and clarified in paragraph 7 of his subsequent report with regard to the type II gratis personnel not reported previously by the United Nations Environment Programme;

5. Recalls the existing mandates under the relevant General Assembly resolutions on gratis personnel;

6. Reaffirms that the circumstances in which the Secretary-General can accept gratis personnel shall be in strict compliance with the provisions of its resolution 51/243, in particular paragraphs 4 and 9, and its resolution 52/234, in particular paragraph 10;

7. Expresses its concern that detailed and comprehensive information on the use of gratis personnel in the case of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 was not provided, and in this regard requests the Secretary-General to submit all future reports on gratis personnel in strict compliance with the provisions of paragraph 15 of its resolution 52/234;

8. Decides to continue, at the main part of its fifty-fifth session, its consideration of the question of gratis personnel provided by Governments.

**Consultants and individual contractors**

**Report of Secretary-General.** Pursuant to section VIII of General Assembly resolution 53/221 [YUN 1999, p. 1328], the Secretary-General submitted his annual report, in August [A/557321], on the hiring and use of consultants and individual contractors in 1999. The report expanded on the format of previous reports, in accordance with requests in resolution 51/226, section VI [YUN 1997, p. 1461].

The Secretary-General noted that, while data were available for Headquarters, it had not been possible to present information that was comparable on a worldwide basis regarding the type and nature of contracts of consultants and individual contractors because such data would not be available until the full deployment in 2001 of IMIS (Release III) at all duty stations. The nine statistical tables presented in the annex to the report provided an overview of the use of such persons in terms of their status as retired or not retired, gender, educational levels, the numbers engaged, nationality, purpose of engagement, the number and duration of contracts, fees, the contracting department or office, occupational grouping, performance evaluations and aggregate data for each duty station on institutional or corporate contractors engaged under contracts or subcontracts entered into directly with the employer institution. In 1999, 2,382 consultants and 886 individual contractors were engaged, accounting for 3,220 and 1,643 separate contracts, respectively. Fees for both totalled $28.9 million, a decrease of $2.6 million from the total reported for 1998.

**JIU report.** The Secretary-General, by a March note [A/55/59], transmitted to the General Assembly the JIU report on the effective implementation of Assembly policy directives on the use of consultants in the United Nations. Among its conclusions, JIU stated that there was no mechanism to facilitate the implementation of at least two out of seven basic principles contained in the administrative instruction governing the use of consultants [ST/Al/1997/7] that the programme budget was the proper vehicle through which to address Member States’ concerns, as well as problems identified and solutions recommended by external and internal oversight bodies; and that ACABQ and the Committee for Programme and Coordination (CPC) could significantly contribute to the process if provided with comprehensive information on the planned and past use of consultancy.

Pending the suggested expedition of the consolidated database on the inventory of staff skills and development of an electronic information system covering all UN substantive programmes, JIU recommended that, in the interim, the Secretary-General should instruct OHRM and the Office of Programme Planning, Budget and Accounts (OPPBA) to review all consultancy requests, OHRM to ascertain if the required expertise was available in the Secretariat and advise department and office heads accordingly, and OPPBA to advise them of cases of duplication with Secretariat work already completed or in progress. He should include in his introduction to the proposed programme budget information on the level of resources requested under "consultants and experts" compared with previous bienniums and establish clear operational procedures for the treatment of consultants’ travel expenses, whether as a sub-item of consultancy appropriations or as part of the travel budget of a given organizational unit, to prevent distorting geographical balance when awarding contracts. ACABQ and CPC should include in their reports...
on the programme budget a detailed assessment of the situation as to the level of regular budget and extrabudgetary resources for consultants.

Another recommendation was for the Secretary-General to study different methodologies to achieve geographical balance in the use of consultants and, pending its outcome, the Assembly should ask him to use the desirable ranges for Professional staff financed through the regular budget as a norm for the geographical distribution of consultancies. The Secretary-General should include in his annual report on consultants certain comparative data and data breakdown by developing countries and/or regional groups, as well as separate data sets for participants in advisory meetings. He should ensure the timely availability to the permanent missions to the United Nations of information on planned consultancy requirements. The Assembly was to review and evaluate all aspects of policy and practice based on either an expanded report of the Secretary-General to be presented to its fifty-seventh (2002) session or an in-depth review by the OIOS Central Evaluation Unit.

In his comments on the JIU recommendations [A/55/59/Add.1], the Secretary-General said OHRM was in the second phase of implementing the skills inventory project. A specific monitoring mechanism would be required for the recommended electronic information system, regarding which management would conduct a needs assessment study. Closer scrutiny of consultancy requests would require OPPBA to establish a new monitoring mechanism whose cost could outweigh its benefits. The programme budget presentation, which included separating resource requirements for consultants and experts, was under constant review by the Secretariat, ACABQ and the Assembly. It would have been helpful if JIU had further addressed the issue of assessing the situation as to the level of resources for consultants. The suggested mechanisms for handling consultants’ travel expenses could only provide information on the basis of which geographical distribution could be monitored and would not constitute an operational procedure. The Secretariat would continue to make every effort to recruit consultants from as wide a geographical area as possible. Efforts would be made to disseminate information on consultancy needs directly to Member States. In addition to noting the recommendations on data presentation in his annual reports on consultants, the Secretary-General said it would have been helpful if JIU had given some specifics for the recommended omnibus reporting in 2002.

**Status of women in the Secretariat**

In his January report to the Commission on the Status of Women [E/CN.6/2000/4], the Secretary-General provided a statistical update as at 30 November 1999 of the gender distribution of staff at the Professional and higher levels in the UN Secretariat and in the organizations of the UN common system. He also outlined his strategy for achieving gender equality in the Secretariat, indicating that the 2000 work programme would assign priority to the elaboration and implementation of gender action plans in individual departments and offices.

Responding to General Assembly resolution 54/139 [YUN 1999, p. 1334], the Secretary-General submitted a September report [A/55/399 & Corr.1] reviewing the status of women in the Secretariat. According to the report, the number of women on appointments subject to geographical distribution increased significantly at the D-1 level, from 16 (6.8 per cent) in June 1990 to 73 (35.8 per cent) in June 2000; and at the P-5 level, from 73 (15.8 per cent) to 151 (33.1 per cent), a more-than-double increase. Nonetheless, women's overall representation in the Professional and higher categories had been modest: 936 women (39.2 per cent) out of 2,389 staff on appointments subject to geographical distribution as at 30 June 2000, compared to 919 (38.1 per cent) out of 2,410 as at 30 June 1999 [YUN 1999, p. 1333]. The increase was consistent with the average annual rate of 1 per cent at which women’s representation had increased over the preceding 10 years.

The number of women on appointments of one year or more had increased from 1,542 (35.8 per cent) on 30 June 1999 to 1,601 (36.5 per cent) on 30 June 2000, only a 0.7 per cent increase. The largest increase had been at the P-5 level, rising from 212 (30 per cent) to 242 (32.6 per cent). The highest concentration of women remained at the P-5 level, followed by those at the P-4 level. Gender balance was finally realized at the P-2 level, where the percentage of women had risen from 48.2 per cent on 30 June 1999 to 50.1 per cent on 30 June 2000. While the percentage at the D-1 level neared a critical mass at 29.3 per cent, the overall increase at the senior and policy-making levels (D-1 and above) had been slight, from 24.4 per cent to only 24.7 per cent. The slowdown since the Secretary-General’s 1999 report [YUN 1999, p. 133] was cause for concern, particularly as the number of staff appointed and promoted to those levels had increased. Although the number of women at the P-4 and D-2 levels had increased slightly (from 218 to 242) in 2000, the overall percentage of women at those levels had declined since June 1999 (from 33.7 per cent to 33.5 per cent and from 21.6 per cent to 20.8 per
The Secretary-General asked for the cooperation of department and office heads in further elaborating the gender component of the 1999-2001 departmental action plans on human resources management. He emphasized that the managers' record in improving gender balance should be a critical factor in the appraisal of their performance. The Steering Committee for the Improvement of the Status of Women in the Secretariat also monitored the progress of departments and offices in meeting the goal of 50/50 gender distribution in the staffing of Professional and higher-level posts. OHRM had been working with a number of departments and offices to develop and implement programmes on various gender-related issues, including training on gender sensitivity and mainstreaming. Issues currently being addressed were the development of common policies on retaining women staff, especially through spousal employment assistance, the introduction of flexible working time and workplace arrangements, and the designation of focal points for women in UN peacekeeping missions.

Elements of the Secretary-General's strategy to be accorded priority in 2001 included the identification of sources of women candidates for vacancies in departmental action plans, the evaluation of progress made in improving women's representation based on the implementation of gender action plans, the refinement of strategies to increase the supply of suitably qualified women candidates and the examination of factors impeding Professional and General Service staff mobility. Increasing attention would be paid to implementing the work/family agenda and designing measures for enhancing the career development of General Service staff, the majority of whom were women. The Secretary-General warned, however, that progress in achieving gender equality would continue to be slow without the sustained support of Member States in proposing national recruitment sources for women candidates.

GENERAL ASSEMBLY ACTION

On 4 December [meeting 81], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/55/595 & Corr.12], adopted resolution 55/69 without vote [agenda item 107].

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 the achievement of overall gender equality, particularly at the Professional level and above, by the year 2000,

Recalling further its resolution 54/139 of 17 December 1999 on the improvement of the status of women in the Secretariat,

Taking note of Commission on Human Rights resolution 2000/46 of 20 April 2000 on integrating the human rights of women throughout the United Nations system, in particular paragraph 11, in which the Commission recognizes that gender mainstreaming will strongly benefit from the enhanced and full participation of women, including at the higher levels of decision-making in the United Nations system,

Taking note also of the recommendations made by the women heads of State and Government and women heads of United Nations agencies at their meeting, held on 5 September 2000, just prior to the Millennium Summit of the United Nations, to improve female representation within the United Nations system, especially at senior levels,

Welcoming the decision of the Secretary-General to include, in the performance appraisal of managers, information on the opportunities presented for the selection of women candidates and on progress made in improving women's representation, including efforts made to identify women candidates,

Taking into account the continuing lack of representation or under-representation of women from certain countries, in particular from developing countries, including least developed countries and small island developing States, and from countries with economies in transition,

Taking note with appreciation of those departments and offices that have achieved the goal of gender balance, as well as of those departments that have met or exceeded the goal of 50 per cent in the selection of women candidates for vacant posts in the past year,

Welcoming progress made in improving the representation of women at some levels of the Secretariat, but expressing concern that progress in improving the representation of women at the senior and policy-making levels has slowed, that the percentage of women appointed and promoted to one particular level has declined, and also expressing concern at the slow incremental pace at which the overall representation of women in the Secretariat has increased,

Expressing concern that there are currently no women acting as special representatives or envoys,

Noting that the statistics on the representation of women in the organizations of the United Nations system are not fully up to date,

1. Takes note with appreciation of the report of the Secretary-General and the actions contained therein;

2. Reaffirms the urgent goal of achieving 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, paragraph 3, of the Charter of the United Nations, and also taking into account the continuing lack of representation or under-representation of women from certain countries, in particular developing countries and countries with economies in transition;

3. Welcomes:
(a) The ongoing personal 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, including full implementation of the special measures for the achievement of gender equality;
(b) The pledge of the executive heads of the organizations of the United Nations system to intensify their efforts to meet the gender equality goals set out in the Beijing Declaration and Platform for Action;
(c) The actions agreed upon by the General Assembly at its twenty-third special session, entitled "Women 2000: gender equality, development and peace for the twenty-first century", to ensure the full and equal participation of women at all levels of decision-making in the United Nations system;
(d) The inclusion of the objective of improving gender balance in action plans on human resources management for individual departments and offices, and encourages further cooperation between heads of departments and offices, the Special Adviser on Gender Issues and Advancement of Women and the Office of Human Resources Management of the Secretariat in the implementation of these plans, which include specific targets and strategies for improving the representation of women in individual departments;
(e) The designation of focal points for women in United Nations peacekeeping operations, and requests the Secretary-General to ensure that the focal points are designated at a sufficiently high level and enjoy full access to senior management in the mission area;
(f) The continued provision of specific training programmes on gender mainstreaming and gender issues in the workplace, tailored to meet the special needs of individual departments, commends those heads of departments and offices who have launched gender training for their managers and staff, and strongly encourages those who have not yet organized such training to do so by the end of the biennium;
4. Regrets that the goal of 50/50 gender distribution will not be met by the end of the year 2000, and urges the Secretary-General to redouble his efforts to realize significant progress towards this goal in the near future;
5. Expresses concern that, in five departments and offices of the Secretariat, women still account for less than 30 per cent of staff, and encourages the Secretary-General to intensify his efforts to meet the goal of gender balance within all departments and offices of the Secretariat;
6. Requests the Secretary-General, in order, inter alia, to achieve the goal of 50/50 gender distribution with full respect for the principle of equitable geographical distribution, in conformity with Article 101, paragraph 3, of the Charter;
(a) To identify and attract suitably qualified women candidates, in particular in developing countries and countries with economies in transition, in other Member States that are unrepresented or under-represented in the Secretariat and in occupations in which women are under-represented;
(b) To continue to monitor closely the progress made by departments and offices in meeting the goal of gender balance and to ensure that the appointment and promotion of suitably qualified women will be no less than 50 per cent of all appointments and promotions until the goal of 50/50 gender distribution is met, inter alia, through full implementation of the special measures for women and the further development of monitoring and assessment mechanisms to meet targets for improving women's representation;
(c) To enable the Office of the Special Adviser on Gender Issues and Advancement of Women to monitor effectively and facilitate progress in the implementation of the departmental action plans for the achievement of gender balance and the special measures for women, inter alia, by ensuring access to the information required to carry out that work;
(d) To intensify his efforts to create, within existing resources, a gender-sensitive work environment supportive of the needs of his staff, both women and men, including the development of policies for flexible working time, flexible workplace arrangements and child-care and elder-care needs, as well as the provision of more comprehensive information to prospective candidates and new recruits and employment opportunities for spouses and the expansion of gender-sensitivity training in all departments, offices and duty stations;
(e) To strengthen further the policy against harassment, including sexual harassment, inter alia, by ensuring the full implementation of the guidelines for its application at Headquarters and in the field;
7. Strongly encourages the Secretary-General to appoint more women as special representatives and envoys to pursue good offices on his behalf, especially in matters related to peacekeeping, peace-building, preventive diplomacy and economic and social development, as well as in operational activities, including appointment as resident coordinators, and to appoint more women to other high-level positions;
8. Encourages the Secretary-General and the executive heads of the organizations of the United Nations system to continue to develop common approaches for retaining women, inter-agency mobility and the improvement of career development opportunities;
9. Strongly encourages Member States:
(a) To support the efforts of the United Nations and the specialized agencies 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 intergovernmental, judicial and expert bodies, by identifying and proposing national recruitment sources that will assist the organizations of the United Nations system in identifying suitable women candidates, in particular from developing countries and countries with economies in transition, and by encouraging more women to apply for positions within the Secretariat, the specialized agencies, funds and programmes and the regional commissions, including positions in areas in which women are under-represented, such as peace-
keeping, peace-building and other non-traditional areas;
(b) To identify women candidates for assignment to peacekeeping missions and to improve the representation of women in military and civilian police contingents;

10. Requests the Secretary-General to report on the implementation of the present resolution, inter alia, by providing up-to-date statistics on the number and percentage of women in all organizational units and at all levels throughout the United Nations system, and on the implementation of departmental action plans for the achievement of gender balance, to the Commission on the Status of Women at its forty-fifth session and to the General Assembly at its fifty-sixth session.

Regulations governing the status, basic rights and duties of the Secretary-General, non-Secretariat officials and experts on mission

In response to General Assembly resolution 52/252 [YUN 1998, p. 1318], the Secretary-General submitted for the Assembly’s approval proposed draft regulations [A/54/695] governing the status, basic rights and duties of officials other than Secretariat officials performing services for the United Nations on a substantially full-time basis and experts on mission (annex I). The draft regulations were to form part of the terms of appointment of such officials, appointed through Assembly action or by other representative bodies. Also annexed were the draft regulation texts, together with a commentary to serve as an official guide on the scope and application of the individual regulations (annex II).

The report cited the relevant provisions of the 1946 Convention on the Privileges and Immunities of the United Nations, adopted by Assembly resolution 22 A (I) [YUN 1946-47, p. 100], as the basis for the special status of the above-described officials, and revised article I of the Staff Regulations of the United Nations and chapter I of the 100 series of the Staff Rules, as revised with effect from 1 January 1999, as the bases for the proposed draft regulations.

Also in response to resolution 52/252, the Secretary-General submitted a February 2000 report [A/54/710] regarding the previously proposed development of a separate set of regulations and rules applicable to the Secretary-General of the United Nations. He stated that, in reviewing the Charter of the United Nations for that purpose, it had become apparent that, with the exception of the oath of office, the Charter provisions relating to the Secretary-General appropriately addressed his status, basic rights and duties. In view of those provisions and with the understanding that the Secretary-General would continue orally to make the declaration of office currently contained in staff regulation 1.1 (b) at a public Assembly meeting, the Secretary-General believed that there was no need for additional regulations and rules as had been proposed.

GENERAL ASSEMBLY ACTION
Following receipt of the Secretary-General’s report [A/54/695] during its resumed fifty-fourth (2000) session, the General Assembly, by decision 54/472 of 7 April 2000, deferred consideration of the question of the proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission until its fifty-fifth (2000) session.

On 23 December [meeting 58] the Assembly, on the recommendation of the Fifth Committee [A/55/690], adopted resolution 55/221 without vote [agenda items 116 & 123].

Proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission and regulations governing the status, basic rights and duties of the Secretary-General

The General Assembly,

Having considered the reports of the Secretary-General on the proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission and on the regulations governing the status, basic rights and duties of the Secretary-General,

1. Requests the Secretary-General to undertake consultations on the proposed regulations with the officials referred to in paragraph 1 (a) of his report on proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission, in particular those who are elected by the General Assembly and its subsidiary organs, and to report thereon to the Assembly at its resumed fifty-fifth session, including on the following elements:

(a) The compatibility of the proposed regulations with the statutes governing the officials referred to above;

(b) The possible impact, if any, of the proposed regulations on the independence of those expert bodies;

(c) The accountability mechanisms envisaged to enforce the proposed regulations;

2. Also requests the Secretary-General, in the context of the report mentioned in paragraph 1 above, to submit additional information on whether the proposed regulations ensure the impartiality, neutrality, objectivity and accountability of the personnel referred to in paragraph 1 (b) of the report.

Staff rules and regulations

In accordance with staff regulation 12.3 providing that the full text of provisional staff rules and amendments should be reported annually to the General Assembly, the Secretary-General did
so in his July report [A/55/168], which set out in an annex the amendments to the 100 and 200 series of the Staff Rules. The rationale for the amendments, which were of a technical nature, was also provided. The amendments to the 100 series related to the official travel of staff members on family visits, on separation from service, and authorized for medical, safety or security reasons or in other appropriate cases; official travel of a staff member's eligible family members; commutation of accrued annual leave; and last day for pay purposes. The amendments to the 200 series related to sick leave, official travel of project personnel, official travel of family members, family visit travel and appeals.

The Secretary-General recommended that the Assembly take note of the amendments, which he proposed to implement as from 1 January 2001.

Safety and security

SECURITY COUNCIL ACTION

On 9 February [meeting 4100], following consultations among Security Council members, the President made statement S/PRST/2000/4 on behalf of the Council:

The Security Council is gravely concerned at continued attacks against United Nations and associated personnel, and humanitarian personnel, which are in violation of international law, including international humanitarian law.


The Council further recalls the report of the Secretary-General on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, and the addendum thereto, on the safety and security of humanitarian personnel and protection of United Nations personnel, and looks forward to the report of the Secretary-General pursuant to resolution 54/192 to be submitted to the General Assembly in May 2000, which should contain a detailed analysis and recommendations addressing the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994.

The Council notes with satisfaction the entry into force of the Convention on the Safety of United Nations and Associated Personnel, recognizes its importance for addressing the security of such personnel and recalls the relevant principles contained therein. The Council encourages all States to become party to and respect fully their obligations under the relevant instruments, including the above-mentioned Convention.

The Council recalls that, on a number of occasions, it has condemned attacks and the use of force against United Nations and associated personnel, and humanitarian personnel. It strongly deplores the fact that incidents of violence have continued, leading to a rising toll of casualties among United Nations, associated and humanitarian personnel. The Council strongly condemns the acts of murder and various forms of physical and psychological violence, including abduction, hostage-taking, kidnapping, harassment and illegal arrest and detention to which such personnel have been subjected, as well as acts of destruction and looting of their property, all of which are unacceptable.

The Council also recalls that the primary responsibility for the security and protection of United Nations and associated personnel, and humanitarian personnel, lies with the host State. The Council urges States and non-State parties to respect fully the status of United Nations and associated personnel, and to take all appropriate steps, in accordance with the purposes and principles of the Charter of the United Nations and the rules of international law, to ensure the safety and security of United Nations and associated personnel, and humanitarian personnel, and underlines the importance of unhindered access to populations in need.

The Council welcomes the inclusion as a war crime in the Rome Statute of the International Criminal Court of attacks intentionally directed against personnel involved in a humanitarian assistance or peacekeeping mission, as long as they are entitled to the protection given to civilians under the international law of armed conflict, and notes the role that the Court could play in bringing to justice those responsible for serious violations of international humanitarian law.

The Council expresses the view that improving the security of United Nations and associated personnel, and humanitarian personnel, may require, inter alia, the development and strengthening of all aspects of the current safety and security regime in place, as well as the adoption of effective action to address the impunity of those who commit crimes against such personnel.

The Council recognizes the importance of issuing clear, appropriate and feasible mandates for peace-
keeping operations, to ensure that they are applied in a timely, efficient and objective manner, and of ensuring that all new and ongoing United Nations field operations, include appropriate modalities for the safety and security of United Nations and associated personnel, and humanitarian personnel. The Council underscores the fact that United Nations personnel have the right to act in self-defence.

The Council encourages the Secretary-General to complete the process of conducting a general and comprehensive review of security in peacekeeping operations, with a view to elaborating and undertaking further specific and practical measures to increase the safety and security of United Nations and associated personnel, and humanitarian personnel.

The Council considers it important that a comprehensive security plan be developed for every peacekeeping and humanitarian operation and that, during early elaboration and implementation of that plan, Member States and the Secretariat cooperate fully in order to ensure, inter alia, an open and immediate exchange of information on security issues.

The Council, bearing in mind the need to reinforce the responsibility of the host State for the physical security of United Nations and associated personnel, also underscores the importance of including in each status-of-forces agreement and status-of-missions agreement specific and practical measures based on the provisions of the Convention on the Safety of United Nations and Associated Personnel.

The Council recalls the obligations of all United Nations personnel and associated personnel, and humanitarian personnel, to observe and respect the national laws of the host State in accordance with international law and the Charter.

The Council believes it is essential to continue to strengthen security arrangements, to improve their management, and to allocate adequate resources to the safety and security of United Nations and associated personnel, and humanitarian personnel.

The Council President, by a November note [S/2000/1133], circulated a 24 October letter from the CCISUA and FICSA presidents, transmitting a petition signed by over 12,000 staff members asking for a special Council meeting to address safety and security problems faced by UN staff and associated personnel, especially on mission assignments.

Reports of Secretary-General (May and October). In response to General Assembly resolution 54/192 [UN 1999, p. 135], the Secretary-General issued a note in May [A/C.5/54/56], a report in October [A/55/494] and another in November (see p. 1347). In May, he proposed the establishment, under the regular budget, of a full-time post of United Nations Security Coordinator at the Assistant Secretary-General level, to respond to the most immediate needs for strengthening the security and safety of UN system personnel in the field. He would report on the associated cost requirements in the context of the budget performance report for the 2000-2001 biennium and submit to the Assembly a comprehensive plan for strengthening personnel security and safety in due course.

The Assembly, by decision 54/462 B of 15 June, deferred consideration of the Secretary-General's note on strengthening UN security coordination to its fifty-fifth session.

In October, the Secretary-General cited incidents of threats against UN and associated personnel that had occurred between 1 July 1999 and 30 June 2000, and gave a comprehensive account of the existing security management structure at Headquarters, at UN system organizations and in the field, as well as of recent initiatives for improvement.

The Secretary-General said the threats against UN personnel took the form of murder, physical assault and verbal abuse; abductions and hostage-taking; illegal arrests and detentions; storming and occupation of UN premises; and destruction and seizure or looting of UN vehicles and other property. Threats to life and of bodily injury were posed also by mines and unexploded ordnance. In addition, staff were subjected to routine denial of visas and the imposition of travel restrictions on certain of them based on nationality. To date, only three of the 177 cases of violent death of UN personnel had been brought to justice. The report's annex II listed 26 civilian personnel who had lost their lives since 1 July 1999, indicating their nationality, the employing UN agency, and the date, place and cause of death. Annex III chronologically listed 40 staff members who remained under arrest and detention or were missing as at 30 June 2000; the first on the list had been missing since 20 April 1980.

The responsibilities of the Coordinator's Office encompassed all security-related policy and procedural matters, including: ensuring a coherent UN response to any emergency in UN areas of operation; formulating recommendations for safeguarding UN staff and eligible dependants; coordinating, planning and implementing inter-agency security and safety programmes and training; acting as focal point for inter-agency cooperation on security matters; consulting organizations whose field operations would be affected by a security decision; assessing, on a continuing basis, the extent to which UN operations worldwide were vulnerable to security problems; and reviewing security plans for duty stations to ensure that each had an adequate state of preparedness.

The Coordinator's Office was also responsible for deciding on the relocation or evacuation of staff and their dependants from insecure areas; managing the malicious acts insurance policy, covering 30,000 staff in 78 duty stations; dealing
with incidents of hostage-taking, arrest and detention of staff; developing and conducting security stress management training; investigating cases of staff deaths under suspicious circumstances; and coordinating security at 150 duty stations with 70,000 civilian staff and their dependants.

The operating budget of the Coordinator's Office was funded through cost-sharing arrangements among the organizations participating in the UN security management system, with the UN regular budget bearing approximately 18 per cent of the costs totalling $650,880 for 1999. A trust fund for voluntary contributions, set up in 1998, supplemented existing inter-agency funding mechanisms. As at 1 August 2000, the fund had received a total of only $1,210,500 and pledges from four countries.

The Secretary-General reported the appointment of the UN Security Coordinator, currently a senior official at the Under-Secretary-General level. Pending submission of proposals for the full requirements of the Office of the United Nations Security Coordinator for the 2002-2003 biennium, he proposed, as an interim measure, the strengthening of that Office at Headquarters and in the field, effective 1 January 2001, through specific resource requirements within the 2000-2001 programme budget amounting to $2,776,900, as detailed in annex I to the report.

Security arrangements of UN system organizations involved the appointment of a focal point responsible for security management within each organization, regular contact with its field offices and joint inter-agency security assessment missions, and liaising with the Coordinator's Office.

At field duty stations, the country-specific security plan was the primary tool for security preparedness. Each plan, updated annually, defined security responsibilities and actions to be taken in response to a security crisis, and provided for the internal relocation of locally recruited staff and their dependants to a safe area.

**ACABQ report** Having examined the Secretary-General's October report [A/55/494], ACABQ, in December [A/55/658], pointed to the lack of information on lessons learned and measures taken to ensure accountability. It recommended against the proposed establishment of an Assistant Secretary-General post, as well as the support General Service post, and that consideration be given to relocating the Security Coordinator's Office within the Office of Central Support Services. In the context of the review of the proposed 2002-2003 programme budget, consideration might be given to upgrading the post of Deputy Security Coordinator from D-1 to D-2. ACABQ supported the interim proposals for the establishment, effective 1 January 2001, of two P-5 and six P-4 level posts, with appropriate support staff at Headquarters; and six P-4, four P-3 and 20 local level posts for the field. It recommended that the request for 10 additional field security officers and 20 additional local level posts, which lacked supporting detail, be considered in the context of the proposed 2002-2003 programme budget. Consequently, the corresponding reduction in requirements would amount to $1,005,700.

In view of the foregoing, ACABQ recommended approval of an additional appropriation of $646,000 under section 30, Special expenses, of the 2000-2001 programme budget, and an additional appropriation of $95,600 under section 32, Staff assessment, to be offset by an equivalent amount under income section I, Income from staff assessment.

(For General Assembly action on the foregoing Secretary-General's report and related ACABQ comments, see **resolution 55/238, section II** (p. 1300).)

**Report of Secretary-General (November).** The Secretary-General, in November [A/55/637], analysed the scope of legal protection under the 1994 Convention on the Safety of United Nations and Associated Personnel, adopted by General Assembly resolution 49/59 [YUN 1994, p. 1289], which entered into force in 1999 [YUN 1999, p. 1336], as it applied in practice to UN operations, and other UN and associated personnel, and underscored the Convention's limitations. He recalled that, in his 1999 report to the Council [A/54/619-S/1999/957], he had pointed to the emerging consensus among Member States on the Convention's inadequacies and had recommended the development of a protocol extending the scope of its legal protection to all UN and associated personnel not currently covered.

Pending the conclusion of such a protocol, which might or might not be ratified by some or all of the States parties to the Convention, the Secretary-General suggested three measures for the Assembly's consideration, which, within the parameters of the Convention, would strengthen its protective regime and give it full effect. They included: a procedure to initiate a declaration by the Security Council or the Assembly of an exceptional risk to the safety of UN personnel, to bring within the ambit of the Convention's protective regime all UN operations conducted in risky, dangerous or volatile environments; designating the Secretary-General as the certifying authority for purposes of attesting to the fact of a "declaration" or an "agreement", and to the status of any...
of the UN and associated personnel; and incorporating the key provisions of the Convention in the status-of-forces or status-of-mission agreements concluded between the United Nations and States in whose territories peacekeeping operations were deployed.

GENERAL ASSEMBLY ACTION

On 19 December [meeting 86], the General Assembly adopted resolution 55/175 [draft: A/55/L.64 & Add.1] without vote [agenda item 20].

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 of the coordination of humanitarian emergency assistance of the United Nations,
Recalling its resolutions 53/87 of 7 December 1998 and 54/192 of 17 December 1999 on safety and security of humanitarian personnel and protection of United Nations personnel, as well as resolutions 52/167 of 16 December 1997 on safety and security of humanitarian personnel and 52/126 of 12 December 1997 on protection of United Nations personnel,
Taking note of the report of the Secretary-General on protection of civilians in armed conflicts, and of Security Council resolutions 1265(1999) of 17 September 1999 and 1296(2000) of 19 April 2000 and the recommendations made therein, as well as the statements by the President of the Security Council of 30 November 1999 on the role of the Security Council in the prevention of armed conflicts, of 13 January 2000 on humanitarian assistance to refugees in Africa, of 9 February 2000 on protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones, and of 9 March 2000 on humanitarian aspects of issues before the Security Council, and in this context also noting the range of views expressed during all open debates of the Security Council on these issues,
Taking note also of the report of the Special Committee on Peacekeeping Operations on the report of the Panel on United Nations Peace Operations and the report of the Secretary-General on the implementation of the report of the Panel,
Reaffirming the need to promote and ensure respect for the principles and rules of international humanitarian law,
Deeply concerned by the growing number of complex humanitarian emergencies in the past few years, in particular in armed conflicts and in post-conflict situations, which have dramatically increased the loss of human lives, in particular of civilians, the suffering of victims, flows of refugees and internally displaced persons, as well as material destruction, which disrupt the development efforts of the countries affected, in particular those of developing countries,
Concerned by the increasingly difficult context in which humanitarian assistance takes place in some areas, in particular the continuous erosion, in many cases, of respect for the principles and rules of international humanitarian law,
Deeply concerned by the dangers and security risks faced by humanitarian personnel and United Nations and its associated personnel at the field level, and mindful of the need to improve the current security management system in order to improve their safety and security,
Strongly deploiring the rising toll of casualties among national and international humanitarian personnel and United Nations and its associated personnel in complex humanitarian emergencies, in particular in armed conflicts and in post-conflict situations,
Strongly condemning the acts of murder and other forms of violence, rape and sexual assault, intimidation, armed robbery, abduction, hostage-taking, kidnapping, harassment and illegal arrest and detention to which those participating in humanitarian operations are increasingly exposed, as well as attacks on humanitarian convoys and acts of destruction and looting of their property,
Strongly condemning also all recent incidents in many parts of the world in which humanitarian personnel have been deliberately targeted, and expressing profound regret at the deaths of all United Nations and other personnel involved in the provision of humanitarian assistance,
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 other parties involved in armed conflicts, in compliance with their obligations under the 1949 Geneva Conventions and the Additional Protocols thereto, of 8 June 1977, to ensure the security and protection of all humanitarian and United Nations and its associated personnel,
Expressing concern that the occurrence of attacks and threats against humanitarian personnel and United Nations and its associated personnel is a factor that increasingly restricts the ability of the Organization to provide assistance and protection to civilians in fulfillment of its mandate and Charter,
Welcoming the inclusion of attacks intentionally directed against personnel involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter as a war crime in the Rome Statute of the International Criminal Court, adopted on 17 July 1998, and noting the role that the Court could play in bringing to justice those responsible for serious violations of international humanitarian law,
Noting that the Convention on the Safety of United Nations and Associated Personnel, which entered into force on 15 January 1999, has been ratified by 46 Member States as at the present date,
Reaffirming the fundamental requirement that appropriate modalities for the safety and security of humanitarian and United Nations and its associated personnel be incorporated into all new and ongoing United Nations field operations,
Emphasizing the need to give further consideration to the safety and security of locally recruited humanitarian personnel, who account for the majority of casualties, and United Nations and its associated personnel,
Commending the courage and commitment of those who take part in humanitarian operations, often at great personal risk,

1. Takes note of the report of the Secretary General on safety and security of United Nations personnel;

2. Urges all States to take the necessary measures to ensure the full and effective implementation of the relevant principles and rules of international humanitarian law, as well as relevant provisions of human rights law related to the safety and security of humanitarian personnel and United Nations personnel;

3. Also urges all States to take the necessary measures to ensure the safety and security of humanitarian personnel and United Nations and its associated personnel and to respect and ensure respect for the inviolability 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 complex humanitarian emergencies, in particular in armed conflicts and in post-conflict situations, in countries in which humanitarian personnel are operating, in conformity 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 internally displaced persons;

5. Strongly condemns any act or failure to act which obstructs or prevents humanitarian personnel and United Nations personnel from discharging their humanitarian functions, or which entails being subjected to threats, the use of force or physical attack resulting in injury or death, and affirms the need to hold accountable those who commit such acts and, for that purpose, the need to enact national legislation, as appropriate;

6. Urges all States to ensure that any threat or act of violence committed against humanitarian personnel on their territory is fully investigated and to take all appropriate measures, in accordance with international law and national legislation, to ensure that the perpetrators of such acts are prosecuted;

7. Requests the Secretary-General to take the necessary measures to ensure full respect for the human rights, privileges and immunities of United Nations and other personnel carrying out activities in fulfillment of the mandate of a United Nations operation and to continue to consider ways and means in which to strengthen the protection of United Nations and other personnel carrying out activities in fulfillment of the mandate of a United Nations operation, notably by seeking the inclusion, in negotiations of headquarter 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;

8. Calls upon all States to provide adequate and prompt information in the event of arrest or detention of humanitarian personnel or United Nations 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 ensure the speedy release of United Nations and other personnel carrying out activities in fulfillment of the mandate of a United Nations operation who have been arrested or detained in violation of their immunity, in accordance with the relevant conventions referred to in the present resolution and applicable international humanitarian law;

9. Calls upon all other parties involved in armed conflicts, in compliance with their obligations under the 1949 Geneva Conventions and the Additional Protocols thereto, to ensure the safety and protection of humanitarian personnel and United Nations and its associated personnel, to refrain from abducting or detaining humanitarian personnel in violation of their immunity under relevant conventions referred to in the present resolution and applicable international humanitarian law, and speedily to release, without harm, any abductee or detainee;

10. Calls upon all States to consider signing and ratifying the Rome Statute of the International Criminal Court;

11. Reaffirms the obligation of all humanitarian personnel and United Nations and its associated personnel 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;

12. Calls upon all States to promote a climate of respect for the security of United Nations and humanitarian personnel;

13. Requests the Secretary-General to take the necessary measures, falling within his responsibilities, to ensure that security matters are an integral part of the planning for existing and newly mandated United Nations operations and that such precautions extend to all United Nations and its associated personnel;

14. Also requests the Secretary-General to take the necessary measures to ensure that United Nations and other personnel carrying out activities in fulfillment of the mandate of a United Nations operation are properly informed about the conditions under which they are called to operate, including relevant customs and traditions in the host country, and the standards that they are required to meet, including those contained in relevant domestic and international law, and that adequate training in security, human rights and humanitarian law is provided so as to enhance their security and effectiveness in accomplishing their functions, and reaffirms the necessity for all other humanitarian organizations to provide their personnel with similar support;

15. Stresses the need to ensure that all United Nations staff members receive adequate security training prior to their deployment to the field, the need to attach a high priority to the improvement of stress coun-
serving services available to United Nations staff members, including through the implementation of a comprehensive security and stress management training programme for United Nations staff throughout the system, and the need to make available to the Secretary-General the means for this purpose;

16. Encourages all States to contribute to the Trust Fund for Security of Staff Members of the United Nations System;

17. Reaffirms the need to strengthen the Office of the United Nations Security Coordinator, and in this regard expresses its appreciation for the recommendation of the Secretary-General to appoint a full-time Security Coordinator so as to enable the Office to enhance its capacity in the discharge of its duties, in consultation with the Office for the Coordination of Humanitarian Affairs of the Secretariat and appropriate agencies within the Inter-Agency Standing Committee, and calls for expeditious consideration of the recommendation;

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

19. Encourages all States to become parties to and respect fully their obligations under the relevant international instruments, including the Convention on the Safety of United Nations and Associated Personnel;

20. Takes note of the report of the Secretary-General on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, and decides that the Sixth Committee shall consider the report at the fifty-sixth session of the General Assembly, under an item entitled "Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel";

21. Calls upon all States to consider becoming parties 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 140 States and 106 States, respectively;

22. 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 signing and ratifying the 1998 Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations, and encourages them, pending the entry into force of the Convention, to facilitate, consistent with their national laws and regulations, the use of communications equipment in such operations;

23. Requests the Secretary-General to submit to it at its fifty-sixth session a comprehensive, updated report on the safety and security situation of humanitarian personnel and protection of United Nations personnel and on the implementation of the present resolution, including an account of the measures taken by Governments and the United Nations to prevent and respond to all individual security incidents that involve United Nations and its associated personnel.

**Personnel practices and policies**

**Delegation of authority**

**JIU report.** The Secretary-General, by a March note [A/55/857], transmitted a JIU report assessing progress in the delegation of authority for the management of human and financial resources in the United Nations Secretariat. JIU observed that, over the preceding few years, delegation of such authority appeared to be implemented on an ad hoc basis rather than according to a well thought-out strategy. Measures to decentralize administrative tasks had been presented as delegation, when, in many cases, managers had not been given additional decision-making powers and lacked effective guidance and support services.

JIU thus recommended that an overall action plan for delegation of authority be drawn up, based on a systematically developed concept that defined those areas of responsibility requiring retention of central authority and those where authority could be delegated. The action plan should contain the elements spelled out in the JIU recommendations calling for: clarity in the formulation of policies and procedures and instructions promulgated through the Secretary-General's bulletins and administrative instructions; the promulgation of an updated adminis-
trative instruction on delegation for the administration of the Staff Regulations and Rules to reflect the current situation, of revised Financial Regulations and Rules and of individual delegation orders; the establishment of a culture of clarity, transparency and communication; the empowerment of managers through specialized training and briefings, and adequate support services; access to information; monitoring capacity by which to gauge progress in the exercise of delegated authority; mechanisms for the performance evaluation of officials to whom authority was delegated and the establishment of an accountability system; and consultations with staff representatives.

Reports of Secretary-General. The Secretary-General, in his April comments on the report of JIU [A/55/857/Add.1], stated that events had overtaken many of its recommendations, and a number of reform initiatives affecting the delegation of financial management authority appeared to have been overlooked, among them the results-based budgeting process (see p. 1295) and the Secretariat's efforts to review and adjust administrative budgetary and programming procedures to reflect the new management culture resulting from the introduction of results-based budgeting.

While the Secretary-General generally agreed with the first recommendation, his 1 August report on human resources management reform (see p. 1337) contained elements of an overall plan that included the Performance Appraisal System (PAS) and the programme management plan, a new instrument requiring department heads to define clearly the goals and results to be achieved, together with measurable performance indicators. The measures described in his 1994 comprehensive system of accountability [YUN 1994, p. 1358] had been carried out and, where necessary, refined and improved. His 3 August report (see p. 1337) on accountability and responsibility underlined progress made since then, and highlighted recent changes supplementing existing accountability mechanisms to allow for the effective functioning of the currently established comprehensive system of accountability.

The Secretary-General concurred with the need to update his 1976 bulletin on the administration of the Staff Regulations and Rules [ST/SGB/151] and stated that a thorough review of the Financial Regulations and Rules was in progress. Steps towards establishing a Secretariat-wide culture of transparency and communication had been incorporated into the human resources management strategy. He shared the view that delegation of authority should be made generic through the issuance of bulletins or instructions. The provisions for delegating authority to programme managers were contained in his 1997 bulletin [ST/SGB/1997/5]. It would merely require an amendment of the applicable rules to expand the existing structure. The Secretary-General endorsed the thrust of the recommended specialized training of managers, recognizing that they all needed constant and immediate access to relevant information. IMIS and the Integrated Monitoring and Documentation Information System, combined with the Internet, contributed towards meeting that need. To facilitate monitoring, a computerized tracking system was being developed for the departmental human resources action plan, as was an automated system of recruitment, placement and promotion. He concurred with the imperative for full and meaningful consultations with staff representatives, but stressed constructive and results-oriented dialogue.

Recruitment process

Pursuant to General Assembly resolutions 48/218 B [YUN 1994, p. 1362] and 54/244 [YUN 1999, p. 1274], the Secretary-General, in September [A/55/397], transmitted a report by OIOS assessing progress made towards reforming and refining specific elements of the UN recruitment process identified in its 1996 audit of the management of that process. While acknowledging the many OHRM reform initiatives, OIOS believed that those initiatives should be integrated into a strategic plan aimed at meeting evolving staffing needs and transforming the current cumbersome and time-consuming process into one more proactive and flexible. That need was urgent, given the increased number of retirements expected in the next few years.

Apart from pointing to the need for OHRM to address the policy issue of establishing overall recruitment goals and strategies, OIOS proposed specific actions to expedite and improve the management of the recruitment process. Key among them were to provide operational guidance to programme managers for implementing human resources targets in order to achieve geographic distribution and gender balance; to integrate individual recruitment approaches and monitor their achievement; to refine further the benchmarks for performance monitoring of recruitment; to conduct in-depth analyses of human resources statistics as a basis for strategic planning; to improve operational efficiency and effectiveness, particularly regarding roster management and circulation of vacancy announcements; and to evaluate the effectiveness of the current national competitive examination programme.

OIOS also made a preliminary assessment of OHRM's recent reform proposal on recruitment,
been developed at the time of audit. OIOS sup-
ported the approach and encouraged OHRM to
pursue adoption of that proposal.

**Senior-level appointments**

By a September note [A/55/423], the Secretary-
General transmitted a JIU report on senior-level
appointments in the United Nations, its pro-
grammes and funds, proposing measures to im-
prove the selection of candidates, recruitment
transparency, the geographical distribution of
senior-level posts and the streamlining of related
policies and procedures. The report noted that
senior echelon officials included the Deputy
Secretary-General (DSG), equivalent in rank with
the executive heads of the specialized agencies
and major UN programmes and funds, depart-
ment and office heads at the Under-Secretary-
General (USG) and Assistant Secretary-General
(ASG) levels, officials performing diplomatic or
special-representative functions for the
Secretary-General, Directors (D-2s) and Prin-
cipal Officers (D-1s). Appointments to those posi-
tions fell under the Secretary-General’s discre-
tionary power and no standard recruitment or
promotion procedures applied. Table 1 of the re-
port showed that, between 30 June 1995 and 30
June 1998, the regional distribution of senior-
level posts were: 82 (10 USGs and ASGs) for West-
ern Europe, 64 (4 USGs and ASGs) for North
America and the Caribbean, 58 (5 USGs and ASGs)
for Africa, 30 (10 USGs and ASGs) for Asia and the
Pacific, 27 (8 USGs and ASGs) for Latin America,
18 (1 USG) for the Middle East and 13 (1 USG) for
Eastern Europe.

Distribution among countries in 1999 indi-
cated that only 18 Member States (less than 10 per
cent of the UN membership) encumbered 182
(57.6 per cent) of the total 316 senior-level posts;
70 others encumbered the remaining 134 (42.4
per cent). Ninety-seven Members (more than half
of the UN membership, the majority of which were
developing countries and those with econom-
ies in transition) held no senior-level post. In
comparing the 1999 data with those of 1995, the
report concluded that, in the previous five years,
the geographical distribution of senior-level posts
had been stable but could hardly be re-
garded as positive. Moreover, although the num-
er of women at the D-1 level and above had in-
creased by 61.4 per cent, from 57 to 92, between
1 July 1995 and 30 June 1999, the representation
of women from developing countries and those
with economies in transition continued to be in-
adequate.

While none of the top echelon appointments
had been officially acknowledged as a mistake or
failure, authoritative UN analysts recognized
that their performance over the years had been
uneven. Table 2 on senior staff appraisal sug-
gested that, since the implementation of the PAS,
only one USG and one ASG had been appraised. A
general conclusion that might be drawn was that
the PAS was far from being universally applied.

In its examination of senior-level staff in ma-
jor UN programmes and funds, the report ob-
erved an uneven geographical distribution, as
well as diversity in appointment modalities, but
saw no compelling reason to recommend uni-
formity in that regard.

The report’s recommendations called on the
Secretary-General to consult widely with Mem-
ber States and to inform them of vacancies and
required credentials before making appoint-
ments at the USG and ASG levels, and, in his re-
port on the composition of the Secretariat, to
provide information on D-2 appointments made,
including nationality, gender and type of con-
tract; to amend staff regulation 4.5 relating to the
appointments of senior-level officials earlier de-
scribed; to appoint candidates for D-2 posts ac-
cording to four modalities outlined in the report;
to ensure adequate representation of develop-
ing countries in senior-level posts; and to heed the
repeated General Assembly statements that no post
should be considered the exclusive preserve of
any Member State or group; to improve gender
balance in USG and ASG appointments and to lay
emphasis on better representation of women
from developing countries and those with econom-
ies in transition; to exert efforts to select candi-
dates for the positions of special representative,
envoy and related positions based on geographi-
cal and gender balance; to report biannually to
the Assembly on the application of the PAS to
senior-level officials; and to call on the executive
heads of UN programmes and funds to ensure
senior-level recruitment on as wide a geographi-
cal basis as possible.

**Employment of retirees**

The Secretary-General, in October, submitted
his 1998-1999 report [A/55/451] on the use of re-
tired personnel. Prepared in response to General
Assembly decision 51/408 [YUN 1996, p. 1329], the
report described the guidelines and the 27 May
1999 administrative instruction [ST/AI/1999/5] gov-
erning retiree re-employment; general condi-
tions and contractual arrangements; restrictions
concerning former staff in receipt of a pension
benefit, including remuneration limits; and
monitoring by OHRM to ensure compliance by departments and offices.

The report provided statistical data on persons who had retired after the age of 60 and 62 years, excluding those engaged by the United Nations Joint Staff Pension Fund, which, since its reclassification as an inter-organizational body, was no longer included in reports on the Secretariat. The report indicated the number of retirees engaged, the type and category of engagement, the departments or offices involved, the retirees' nationality, gender, functions, age group, days worked and fees or salaries.

The report noted that retiree fees and salaries in 1998-1999 totalled $10.3 million, of which language services accounted for nearly $6.7 million. The average cost for each retiree increased from $17,620 in 1996-1997 to $18,642 in 1998-1999. As to the possible revision of the limits on the annual earnings of retirees (currently $22,000 and $40,000 for language-services staff), the Secretary-General would continue to monitor the impact of ceilings on the delivery of services, particularly in respect of language services, a field where retirees were the main source of expertise. He observed that any revision had to be weighed against the corresponding increase in the regular budget.

Compared to 1996-1997 figures, the number of separate engagements (contracts) in 1998-1999 rose to 551 (a 1.3 per cent increase); the number of retirees engaged rose to 342 (a 4.3 per cent increase). Over 47 per cent of those engaged were in the Professional and higher categories; 17 per cent were in the Field Service and General Service categories. Special service agreements for consultants and individual contractors made up over one third of the engagements.

The language services of the Secretariat's Department of General Assembly Affairs and Conference Services was the largest user of retired staff, accounting for 121 (or 31 per cent) of the total engagements for the biennium. Retirees engaged in language services worked 5,065 more days in 1998-1999 (a 33 per cent increase) than in 1996-1997; their fees and salaries rose to $4.4 million in 1998-1999 from $3.4 million during 1996-1997.

By nationality, the United States accounted for 58 engagements, followed by France (44), the United Kingdom (31), Egypt (27), Chile (23), Spain (21) and Argentina (10). By gender, 35 per cent of the retirees engaged were female. By function, 214 retirees were engaged in language-related services, 106 in administrative services and 64 in political, economic, social, environmental, humanitarian, advisory and technical assistance services. Forty-three per cent of the retirees engaged were in the 60-to-65 age group and some 35 per cent were in the 65-to-70 age group.

**Staff College**

In his October report on the United Nations Staff College project [A/55/369], the Secretary-General informed the General Assembly that, in accordance with resolution 54/228 [YUN 1999, p. 1340], he had established a three-member team that undertook an evaluation of the College project in Turin, Italy, and made recommendations for its future status, funding and operations upon concluding its pilot phase in December 2000. The team's report, transmitted as an addendum to the Secretary-General's report [A/55/369/Add.1], provided previously reported background information on the College project [YUN 1999, p. 1339], the methodology used and the evaluation results. The team's assessment covered the relevance, quality and impact of the training and learning programmes and workshops conducted by the College; directions as to its future role; relationships with other training institutions; methodologies to create maximum impact in addressing new cross-sectoral challenges; future status and functioning; and governance and requirements. The assessment provided a positive basis for the continuation of the College, especially in the light of the growing demand for its services.

The team recommended that the Staff College be accorded legal status, to be embodied in a statute approved by the Assembly, as a permanent system-wide institution, subject to review after three years, and be renamed the United Nations System Staff College; a system of governance to make the College accountable to a Governing Board be put in place and a three-year operational strategy be followed to phase out, reorient and realign programmes and activities; the College facilitate the creation of a cohesive management culture by positioning itself as a management and leadership development centre and a catalyst for change in the system through learning and knowledge management; and the College take a proactive leadership role in open and distance learning.

The Secretary-General endorsed the team's recommendations to institutionalize the College as a system-wide establishment, as did ACC. Subsequent inter-agency consultations, however, concluded that a sharper definition of the functions and programme of the College, as well as agreement on specific modalities of governance and funding, should be reached at the outset of its new proposed status. Accordingly, an inter-agency working group was being created to address the matter.
In the meantime, the Secretary-General recommended that the Assembly establish the United Nations System Staff College, with effect from 1 January 2002, as a system-wide knowledge management and learning institution for the UN system staff; and request submission of the final draft statute for the College for its review in 2001, to reflect the outcome of the further inter-agency consultations. Thereafter, a biennial report should be submitted to the Assembly on the work, activities and accomplishments of the College, including its collaboration with relevant UN institutions.

GENERAL ASSEMBLY ACTION

On 20 December [meeting 87], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee [A/55/584], adopted resolution 55/207 without vote [agenda item 97].

United Nations Staff College in Turin, Italy

The General Assembly,
Recalling the decision taken by the Secretary-General in January 1996 to establish in Turin, Italy, the United Nations Staff College project for an initial period of five years,
Recalling also its resolution 54/228 of 22 December 1999,
Reaffirming the importance of a coordinated United Nations system-wide approach to research and training based on an effective coherent strategy and an effective division of labour among the relevant institutions and bodies,
Welcoming the report of the Secretary-General and the report of the Independent Evaluation Team,
1. Takes note with appreciation of the work of the United Nations Staff College project, in particular with regard to strengthening the performance of the United Nations in the areas of economic and social development and international peace and security and in promoting a common United Nations management culture;
2. Expresses its deep appreciation to the International Labour Organization for the technical, logistical and administrative contributions provided by its International Training Centre in Turin;
3. Decides to establish the United Nations System Staff College, as at 1 January 2002 after the approval of its statute, as an institution for system-wide knowledge management, training and learning for the staff of the United Nations system, aimed, in particular, at the areas of economic and social development, peace and security and internal management of the system;
4. Requests the Secretary-General to continue consultations on an urgent basis with the Administrative Committee on Coordination and relevant United Nations organizations and to submit, as early as possible, a final draft of the statute for the College, reflecting, as appropriate, the outcome of those consultations on functions, governance and funding for review and approval by the General Assembly, preferably at its fifty-fifth session;
5. Decides that, after the establishment of the Staff College, a biennial report should be submitted to the General Assembly on the work, activities and accomplishments of the College, including its collaboration with other relevant United Nations institutions.

UN Joint Staff Pension Fund

In 2000, the number of participants in the United Nations Joint Staff Pension Fund (UNJSPF) increased from 68,935 to 74,432 (8 per cent); the number of periodic benefits in award increased from 46,200 to 48,069 (4 per cent). On 31 December, the breakdown of the periodic benefits in award was: 15,129 retirement benefits; 10,165 early retirement benefits; 6,498 deferred retirement benefits; 7,336 widows’ and widowers’ benefits; 8,069 children’s benefits; 829 disability benefits; and 43 secondary dependants’ benefits. In the course of the year, 4,150 lump-sum withdrawal and other settlements were paid.

The Fund was administered by the 33-member United Nations Joint Staff Pension Board, which held its fiftieth session (Geneva, 5-14 July) [A/55/9] to consider actuarial matters, including the twenty-fifth actuarial valuation of the Fund as at 31 December 1999; management of the Fund’s investments and reports on the investment strategy and performance for the two-year period ending 31 March 2000; longer-term administrative arrangements of the Fund; entitlement to survivors’ benefits for spouses and former spouses; reviews of several features of the pension adjustment system; and status of the proposed agreement between the Fund and the Government of the Russian Federation concerning the pension-related claims of former Fund participants from the former USSR. The Board also examined and approved the financial statements and schedules for the year ended 31 December 1999 and considered the report of the Board of Auditors on the accounts and operations of the Fund, a report on the internal audits of the Fund and, pursuant to the Board’s observations, possible penalties in cases of fraud by participants and beneficiaries. In addition, the Board considered a proposed transfer agreement between the Fund and the World Trade Organization; an ICSC review of the common scale of staff assessment for pensionable remuneration purposes; the size and composition of the Pension Board and of its Standing Committee; and a change in the pension adjustment system consequent to a judgement of the United Nations Administrative Tribunal.

ACABQ, commenting on the Board’s report in October [A/55/481], concurred with the Board that the current contribution rate of 23.7 per cent of pensionable remuneration be retained; and
with its decision to confirm its two 1998 conditional decisions reported to the General Assembly: to change the interest rates applicable to lump-sum commutations of periodic benefits from 6.5 to 6 per cent with respect to contributory service performed as from 1 January 2001, and to reduce the threshold for effecting cost-of-living adjustments of pensions in award from 3 to 2 per cent, effective from the adjustment due on 1 April 2001. As to the Board's decision to establish a tripartite Working Group to review the Fund's benefit provisions, ACABQ hoped that the Group would focus on specific issues so as to be able to make precise recommendations.

ACABQ agreed with the Board's recommendations to add new subparagraphs (e) to article 35 bis and (h) to article 45 of the Regulations of the Fund relating, respectively, to the divorced surviving spouse's benefit, continuation of surviving spouse's benefit after remarriage and establishment of a payment facility for meeting family maintenance obligations. It further agreed with the Board's decision relating to the Administrative Tribunal's judgement involving the application of the cost-of-living differential factor on an applicant's deferred retirement benefit, as well as with its consequent recommendation to amend paragraphs 4 and 5 of the UNJSPF pension adjustment system.

GENERAL ASSEMBLY ACTION

On 23 December [meeting 89], the General Assembly, on the recommendation of the Fifth Committee [A/55/703], adopted resolution 55/224 without vote [agenda item 125].

United Nations pension system

The General Assembly,
Recalling its resolutions 51/217 of 18 December 1996 and 53/210 of 18 December 1998, and section V of its resolution 54/251 of 23 December 1999,
Having considered the report of the United Nations Joint Staff Pension Fund for 2000 to the General Assembly and to the member organizations of the United Nations Joint Staff Pension Fund, the report of the Secretary-General on the investments of the Fund and the related report of the Advisory Committee on Administrative and Budgetary Questions,
I
Actuarial matters

Recalling section I of its resolution 53/210,
Having considered the results of the valuation of the United Nations Joint Staff Pension Fund as at 31 December 1999 and the observations thereon of the Consulting Actuary of the Fund, the Committee of Actuaries and the United Nations Joint Staff Pension Board,
1. Takes note with satisfaction of the improvement in the actuarial situation of the United Nations Joint Staff Pension Fund, from an actuarial surplus of 0.36 per cent of pensionable remuneration as at 31 December 1997 to an actuarial surplus of 4.25 per cent of pensionable remuneration as at 31 December 1999, and, in particular, of the opinions provided by the Consulting Actuary and the Committee of Actuaries, as reproduced in annexes IV and V, respectively, to the report of the United Nations Joint Staff Pension Board;
2. Takes note of the decision of the Board, in accordance with article 11 (a) of the Regulations of the Fund, to lower the interest rate used to determine lump-sum commutations, from the current 6.5 per cent to 6 per cent, with respect to contributory service performed as from 1 January 2001;
3. Takes note also that the Board has established a working group to undertake a fundamental review of the benefit provisions of the Fund, taking into account developments in staffing and remuneration policies in the member organizations and in pension arrangements at the national and international levels, and to make proposals to the Standing Committee of the Board in 2001 and subsequently to the Board in 2002 on the future long-term needs of the Fund and its constituent groups, for eventual submission by the Board to the General Assembly at its fifty-seventh session;
4. Takes note further of the observations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraph 8 of its report;
5. Concurs with the Transfer Agreement with the World Trade Organization, approved by the Board under article 13 of the Regulations of the Fund, with a view to securing continuity of pension rights between the Fund and the World Trade Organization, as set out in annex VII to the report of the Board;
6. Takes note of the intention of the Board and the International Bank for Reconstruction and Development to pursue a new transfer agreement in the light of the changes made in the pension plan of the Bank and of the interim procedures that will be followed until a new agreement is concluded;
II
Pension adjustment system

Recalling section II of its resolution 53/210,
Having considered the reviews carried out by the United Nations Joint Staff Pension Board, as set out in paragraphs 186 to 200 of its report, of various aspects of the pension adjustment system,
1. Takes note of the results of the monitoring of the costs/savings of recent modifications of the two-track feature of the pension adjustment system and the intention of the United Nations Joint Staff Pension Board to continue to monitor those costs/savings every two years, on the occasion of the actuarial valuations of the Fund;
2. Approves changes in the pension adjustment system, as set out in annex I to the present resolution:
(a) To lower the threshold for implementing cost-of-living adjustments of pensions in award from 3 per cent to 2 per cent, with effect from the adjustment due on 1 April 2001;
(b) To modify, provisionally, paragraphs 4 and 5 of the provisions of the pension adjustment system, in order to implement Judgement No. 942 of the United Nations Administrative Tribunal, as described in section X, paragraphs 263 to 272, of the report of the Board, pending possible future proposals made by the Board to the General Assembly for changes in the pen-
sion adjustment system as regards adjustments of deferred retirement benefits;

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 1999, 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. Notes with satisfaction that the report of the Board of Auditors on the accounts of the United Nations Joint Staff Pension Fund for the biennium ended 31 December 1999 indicated that the financial statements presented fairly, in all respects, the financial position of the Fund and that the transactions tested as part of the audit were, in all significant respects, in accordance with the Financial Regulations of the United Nations and legislative authority;

2. Takes note of the observations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraph 13 of its report;

IV

Longer-term administrative arrangements of the United Nations Joint Staff Pension Fund

Recalling section VI of its resolution 51/217, section V of its resolution 52/222, section V of its resolution 53/210 and section V of its resolution 54/251 concerning the administrative arrangements and expenses of the United Nations Joint Staff Pension Fund,

Having considered section VI of the report of the United Nations Joint Staff Pension Board, on the longer-term administrative arrangements of the Fund,

1. Takes note of the information, set out in paragraphs 117 to 154 of the report of the United Nations Joint Staff Pension Board, on the strategic plan for the operations of the United Nations Joint Staff Pension Fund, which addresses computer systems, process reengineering and technological improvements, the progress report on the enhancement of the role of the Geneva office of the Fund, the delegation of personnel and procurement decisions to the Fund and office space needs;

2. Welcomes the efforts under way to effect improvements in the administrative operations of the Fund through greater use of the latest developments in information technology, including electronic exchanges of information between the Fund and its member organizations, as well as with participants and beneficiaries of the Fund, using Internet/Intranet web sites;

3. Requests the Standing Committee of the Board, in submitting the budget proposals of the Fund for the biennium 2002-2003 and, if necessary, revised estimates for the current biennium, to provide detailed information on the costs and benefits related to phase I and phase II of the project, including timetables and the prioritizing of the various initiatives;

V

Entitlement to survivors’ benefits for spouses and former spouses

Recalling paragraph 4 of section VIII of its resolution 51/217 and section VI of its resolution 53/210,

Having considered the further review undertaken by the United Nations Joint Staff Pension Board of issues related to the pension entitlements of spouses and former spouses, as set out in paragraphs 155 to 185 of its report,

1. Approves the amendment to article 35 bis of the Regulations of the United Nations Joint Staff Pension Fund, as set out in annex II to the present resolution, which would extend the provision for a divorced surviving spouse’s benefit to divorced spouses of former participants who separated before 1 April 1999 and who meet all the other eligibility conditions in subparagraph (b) of article 35 bis;

2. Also approves the amendment to article 34 of the Regulations of the Fund, as set out in annex II to the present resolution, which would restore the surviving spouse’s benefit that had been eliminated for those who had remarried prior to 1 April 1999, subject to recovery (with interest) of the lump-sum payment made at the time of remarriage;

3. Further approves an amendment to article 45 of the Regulations of the Fund, as set out in annex II to the present resolution, which would modify the payment facility approved in resolution 53/210 along the lines set out in paragraphs 172 to 177 of the report of the United Nations Joint Staff Pension Board;

4. Approves, with effect from 1 April 2001, the amendment to article 34 (b) of the Regulations of the Fund, as set out in annex II to the present resolution, which would eliminate the partial commutation option for participants electing to receive a deferred retirement benefit for the reasons set out in paragraphs 178 to 183 of the report of the Board;

5. Takes note of the responses to the arrangements approved in resolution 53/210 for the optional purchase of surviving spouses’ benefits, on cost-neutral terms, in respect of marriage after separation from service;

6. Requests the Board to continue to monitor the experience with these issues and to report thereon to the General Assembly at its fifty-seventh session;

7. Also requests the Board to replace the study of benefits for domestic partnerships, as referred to in paragraphs 184 and 185 of its report, with a study on the existing rules and practices governing entitlements to survivors’ pension benefits in international organizations, and to report thereon to the General Assembly at its fifty-seventh session;

VI

Status of the proposed agreement between the United Nations Joint Staff Pension Board and the Government of the Russian Federation

Recalling section IV of its resolution 51/217 and section III of its resolution 53/210,

Noting the information provided by the United Nations Joint Staff Pension Board in paragraphs 201 to 232 of its report and the additional information contained in official communications from the Government of the Russian Federation to the Chief Executive Officer of the Fund after the fiftieth session of the Board,

1. Takes note of the information provided by the Government of the Russian Federation on internal solutions being prepared with a view to addressing the concerns of Russian former participants in the United Nations Joint Staff Pension Fund;
2. Appreciates the efforts of the Board in addressing this issue;

VII
Other matters
1. Takes note of the observations of the United Nations Joint Staff Pension Board, as set out in paragraphs 233 to 240 of its report, on the review and conclusions reached by the International Civil Service Commission on the changes in average tax rates at the seven headquarters duty stations which formed the basis for the development of the current common scale of staff assessment for pensionable remuneration;
2. Also takes note of the review of the size and composition of the Board and the Standing Committee of the United Nations Joint Staff Pension Board and, in particular, the provisional allocation of the seat vacated by the former Interim Commission for the International Trade Organization effected upon the termination of staff assessment for pensionable remuneration;
3. Notes that a further review of the size and composition of the Board and the Standing Committee will be undertaken in the first instance by the Standing Committee in 2001 and subsequently by the Board in 2002, addressing the issues set out in paragraph 252 of the report of the Board;
4. Approves, with effect from 1 January 2001, an amendment to article 6 of the Regulations of the Fund, as set out in annex II to the present resolution, which would set the terms of office for the elected members and alternate members of the United Nations Staff Pension Committee at four years, instead of the current three years;
5. Also approves, with effect from 1 January 2001, an amendment to article 14 of the Regulations of the Fund, as set out in annex II to the present resolution, which would set the frequency for audits of the operations of the Fund to be annual and for audit reports on the accounts of the Fund by the Board of Auditors to be submitted to the General Assembly every two years, instead of annually;
6. Further approves, with effect from 1 January 2001, an amendment to article 43 of the Regulations of the Fund, as set out in annex II to the present resolution, which would provide for the recovery of indebtedness to the Fund pursuant to observations made by the Board of Auditors and to the comments thereon by the Board, for the reasons given in paragraphs 257 to 262 of the report of the Board;
7. Takes note of the consequential amendment that would be made to administrative rule J.9 (a) of the Fund, as set out in paragraph 261 of the report of the Board;

VIII
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 thereon in its report;
2. Expresses its appreciation to the Secretary-General and to the members of the Investments Committee for the investment performances of the Fund, which contributed significantly to the actuarial surplus of the Fund as at 31 December 1999;
3. Requests the Secretary-General to continue to explore investment possibilities by the Fund in the developing countries, taking into consideration General Assembly resolutions 36/19 A to C of 10 December 1981, and to report thereon to the Assembly at its fifty-seventh session;
4. Takes note of the observations of the Board of Auditors on the outstanding tax refunds due to the Fund from some Member States in respect of direct taxes imposed on the investment income of the Fund, as set out in paragraphs 20 to 24 of its report, which is reproduced in annex III to the report of the Board;
5. Urges once again those Member States which have outstanding balances on foreign tax accounts receivable to provide the reimbursement due to the Fund;
6. Reiterates its request to those Member States which do not grant tax exemptions to make all possible efforts to do so as soon as possible.

ANNEX I
Changes in the pension adjustment system of the United Nations Joint Staff Pension Fund
1. At the beginning of paragraph 4, after the words "Except as otherwise noted," add the following phrase within parentheses: "(e.g., in paragraphs 5 (a), 10 and 27 below with regard to deferred retirement benefits)."
2. In paragraph 5, add the following new subparagraph (d):
"(d) The cost-of-living differential factor in subparagraph 5 (b) (i) above shall not apply to deferred retirement benefits."
3. In paragraph 18, replace the words "3 per cent" with the words "2 per cent."

ANNEX II
Amendments to the Regulations of the United Nations Joint Staff Pension Fund
Article 6
Staff pension committees
In paragraph (b), replace the words "three years" with the words "four years."

Article 14
Annual report and audit
Replace paragraph (b) with the following:
"(b) There shall be annual audits of the operations of the Fund, in a manner agreed between the United Nations Board of Auditors and the Board. An audit report on the accounts of the Fund shall be made every two years by the United Nations Board of Auditors; a copy of the audit report shall be included in the report under (a) above."

Article 3
Deferred retirement benefit
Replace paragraph (c) with the following:
"(c) The benefit may be commuted by the participant into a lump sum if the rate of the benefit at the normal retirement age is less than 300 dollars. Such commutation shall be equivalent to the full actuarial value of the benefit."

Article 34
Widow's benefit
1. In paragraph (b), delete the following phrase at the end of the paragraph:
Article 35 bis

Divorced surviving spouse's benefit

Add the following new paragraph (c):

"(c) The divorced spouse of a former participant who separated before 1 April 1999 and, in the opinion of the Chief Executive Officer of the Fund, met all the other eligibility conditions in (a) and (b) above shall be entitled as from 1 April 1999 to a benefit equal to twice the minimum surviving spouse's benefit under article 34 (c), subject to the proviso that the amount of such benefit cannot exceed the amount payable to a surviving spouse of the former participant."

Article 43

Recovery of indebtedness to the Fund

Add the following text at the end of the article:

"(h) Notwithstanding the provisions of (a) and (i) above, with respect to a surviving spouse who had remarried prior to 1 April 1999 the benefit under (a) above shall be payable as from 1 January 2001, subject to recovery (with interest) of the lump sum payment that had been made to that surviving spouse upon remarriage, as provided for in the Regulations then in effect."

Article 45

Non-assignability of rights

Replace the text of article 45 with the following:

"(a) A participant or beneficiary may not assign his or her rights under these Regulations. Notwithstanding the foregoing, the Fund may, to satisfy a legal obligation on the part of a participant or former participant arising from a marital or parental relationship and evidenced by an order of a court or by a settlement agreement incorporated into a divorce or other court order, remit a portion of a benefit payable by the Fund to such participant for life to one or more former spouses and/or a current spouse from whom the participant or former participant is living apart. Such payment shall not convey to any person a benefit entitlement from the Fund or (except as provided herein) provide any rights under the Regulations of the Fund to such person or increase the total benefits otherwise payable by the Fund.

(b) To be acted upon, the requirement under the court order must be consistent with the Regulations of the Fund, as determined by the Chief Executive Officer of the Fund to be beyond any reasonable doubt, and on the basis of the available evidence. Once implemented, the assignment shall normally be irrevocable; however, a participant or former participant may request, upon satisfactory evidence based on a court order or a provision of a settlement agreement incorporated into a court decree, a new decision by the Chief Executive Officer that would alter or discontinue the payment or payments. Furthermore, such payment or payments shall cease following the death of the participant or former participant. If a designee predeceases the participant or former participant, the payments shall not commence, or if they have commenced, shall cease upon the designee's death. In the event that the payment or payments have been diminished, discontinued, or have failed to commence or have ceased, the amount of the benefit payable to the participant or former participant shall be duly adjusted."

Pension Fund investments

The market value of UNJSPF assets as at 31 December 2000 was $24.1 billion, a decrease of $1.8 billion from the previous year. For the year ending 31 December 2000, UNJSPF had a one-year annualized real rate of return of -6.2 per cent compared to -7.4 per cent for the benchmark. After adjustment for a 3.6 per cent rise in the consumer price index, the Fund's real rate of return was -9.6 per cent. Over periods of three and five years, it had a total return of 10.1 per cent and 10.5 per cent, while the benchmark had returns of 8.3 per cent and 8.9 per cent, respectively.

At the end of 2000, the Fund had 64.4 per cent of its assets in equities, 24.4 per cent in bonds, 4.5 per cent in real estate and 6.7 per cent in short-term assets and reserves. The book value of development-related investments was $1,101 million.

Travel-related matters

In October, the Secretary-General submitted his annual report on standards of accommodation for air travel [A/55/488], which listed exceptions to those standards from 1 July 1999 to 30 June 2000.

During the period under review, the Secretary-General authorized 46 cases of first-class and 30 of business-class air travel as exceptions to the standards of accommodation. Included in the first group were the Deputy Secretary-General, the President of the General Assembly's fifty-fourth session and the Secretary-General's personal aide/security officer. The Secretary-General noted that, while
continuous administrative oversight had kept exceptions at a minimum, they were unavoidable in certain cases.

**Administration of justice**

JIU report. By a June note [A/55/57], the Secretary-General transmitted to the General Assembly a JIU report on the administration of justice in the United Nations. It reviewed the UN machinery for the administration of justice, from its legal foundation to its functioning and impact, with a view to making recommendations to adjust it to the new management requirements.

Although its mandate exclusively concerned the United Nations, JIU considered that the issue demanded further consideration from a system-wide perspective. It found the UN justice system slow, costly and cumbersome, and, in several significant ways, far less effective than it could or should be. The system featured some informal procedures and two stages of formal recourse: the first stage involved the review of claims by internal joint bodies of staff members' peers whose role was advisory; the second was recourse to the United Nations Administrative Tribunal, whose decisions were binding. JIU noted that a high proportion of the internal bodies' advice was rejected by administrators so that deliberations served only to lengthen the procedure. Flaws in the system were compounded by the fact that the international civil service was not subject to any domestic legal system and thus might fail to benefit from dynamic labour legislation. Important international instruments were not incorporated into UN internal regulations and rules.

JIU recommended the creation of an office for the settlement of disputes and the administration of justice so as to increase the independence of the UN justice system. It should include an ombudsman function to replace the Panel on Discrimination and Other Grievances so as to strengthen the system's capacity for informal conciliation, mediation and negotiation. It further recommended amending article 9 of the Tribunal's Statute to eliminate restrictions on its authority, especially with regard to ordering the rescission of a contested decision and to deciding on the appropriate compensation amount; replacing the Joint Disciplinary Committee by a Committee for Professional Responsibility; and strengthening the Office of the Coordinator of the Panel of Counsel to enhance the availability of legal advice and staff representation. Recommended options for higher appeals included giving further consideration to reviving the advisory functions of the International Court of Justice (ICJ) in the internal recourse procedure and forging closer relationships between the Tribunal and other major tribunals in the UN system.

**Report of Secretary-General.** In his comments issued in August [A/55/57/Add.1] on the JIU report, the Secretary-General stated his belief that all relevant basic labour standards enshrined in the 1948 Universal Declaration of Human Rights, adopted by General Assembly resolution 217 A (III) [YUN 1948-49, p. 533], were fully reflected in the UN conditions of service; the standards set out in ILO instruments were generally not developed to address conditions of service of individuals working for Governments or international organizations. The Secretary-General stated that the recommendation on the creation of an office for the settlement of disputes and the administration of justice needed further clarification on how the specific change would improve the current system. He agreed that replacing the Panel on Discrimination with an ombudsman appeared to be an effective means of strengthening the informal mediation process. However, to accept the recommendation to allow the Tribunal to order specific performance and unlimited compensation would seriously restrict his authority as the Organization's chief administrative officer; in any case, the matter would require General Assembly consideration for subsequent amendment of the Tribunal's Statute. He said there was unanimous agreement that nominees for the Tribunal should possess high professional qualifications and relevant experience. The proposal to add a post of Deputy Secretary in the Tribunal secretariat due to the increasing workload needed supporting quantitative data and analysis to establish sufficient justification for such a recommendation to the Assembly.

The Secretary-General said it was not clear why JIU called for greater emphasis on the ethical aspects of cases by suggesting the replacement of the Joint Disciplinary Committee, since that Committee's mandate was to advise on disciplinary, not ethical, questions arising from staff misconduct. Nor did it identify the specific problems with the Committee that required remedy. As to the concern over the lack of some form of appellate mechanism which led to the suggestion to revive the advisory functions of ICJ, it was not clear why the Assembly's decision in resolution 50/54 [YUN 1995, p. 1422] to cease recourse to ICJ should be reversed.

On the need to strengthen the Office of the Coordinator of the Panel of Counsel, the Secretary-General acknowledged that providing legal backstopping to the Office seemed appropriate, adding that related proposals were being put forward as part of the ongoing human resources management reform. However, responsi-
bility for determining resource requirements to improve the provision of legal advice and staff representation rested with the Secretary-General.

**ACABQ report.** Following its consideration of the JIU report and the Secretary-General’s comments, ACABQ, in October [A/55/514], observed that the system for administering justice should be considered in the context of the Secretary-General’s overall human resources management reform. While agreeing with the need for an independent Tribunal secretariat, ACABQ felt that that did not solve the problem and suggested that the Secretary-General revisit the issue. In the meantime, ACABQ requested the Tribunal’s comments on the JIU report, on the Secretary-General’s related comments and on the relevant section of his report on human resources reform [A/55/253] for transmittal to the Fifth Committee. ACABQ was of the opinion that the Tribunal’s inability to order performance of an obligation seriously limited the staff’s right to redress; the time had come to close that gap, existent since the Tribunal’s inception. It expressed serious doubts as to the appropriateness of involving ICJ in staff disputes. On the suggested additional posts for the Tribunal and the Office of the Coordinator of the Panel of Counsel, ACABQ recommended that the Secretary-General make such staffing proposals in the context of his proposed programme budget for 2002-2003, based on updated supporting workload indicators.

**Communication.** The General Assembly President transmitted to the Fifth Committee a letter of 11 December [A/C.5/55/33] from Guinea-Bissau expressing deep concern over the treatment to which its only national on the Secretariat staff had been subjected by the Departments of Public Information and of Management. It requested that the Committee ask the Department of Management to review carefully the case of its national. Alternatively, it would urge that Department to meet with the staff member in question and his representatives to discuss the facts surrounding the decision being contested, in the presence of the Committee, ACABQ, JIU and Staff Committee representatives.

**UN Administrative Tribunal**

In its annual note to the General Assembly [A/INF/55/5], the United Nations Administrative Tribunal reported in December, through the Secretary-General, that it had delivered 46 judgements during 2000, 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 related issues and regulations. The Tribunal met in plenary in New York on 22 November and held two panel sessions (Geneva, 3 July-4 August; New York, 23 October-22 November).

**GENERAL ASSEMBLY ACTION**

On 12 December [meeting 84], the General Assembly, on the recommendation of the Sixth (Legal) Committee [A/55/615], adopted **resolution 55/159** without vote [agenda item 165].

**Review of the Statute of the United Nations Administrative Tribunal**

The General Assembly,

Acknowledging with gratitude the important contribution which the United Nations Administrative Tribunal (“the Tribunal”) has made to the functioning of the United Nations system, and commending the members of the Tribunal on their valuable work,

Desiring to assist the Tribunal in carrying out its future work as effectively as possible,

Taking note of the report of the Joint Inspection Unit on the administration of justice at the United Nations,

Noting the need to consider the appropriateness of the establishment of an appeals mechanism in relation to the decisions of the Tribunal,

Recognizing that, in appointing members of the Tribunal, the General Assembly should take into account the need to ensure adequate representation on the Tribunal of the principal legal systems of the world and fair geographical representation, and bearing in mind the relevant provisions of the Charter of the United Nations,

1. Decides to amend the Statute of the United Nations Administrative Tribunal (“the Statute”), with effect from 1 January 2001, as follows:

(a) Article 3, paragraph 1, shall be amended to read as follows:

"The Tribunal shall be composed of seven members, no two of whom may be nationals of the same State. Members shall possess the requisite qualifications and experience, including, as appropriate, legal qualifications and experience. Only three members shall sit in any particular case";

(b) Article 3, paragraph 2, shall be amended to read as follows:

"The members shall be appointed by the General Assembly for four years and may be reappointed once. A member appointed to replace a member whose term of office has not expired shall hold office for the remainder of his or her predecessor's term, and may be reappointed once";

(c) A new article shall be inserted as article 8, to read as follows:

"Where the three members of the Tribunal sitting in any particular case consider that the case raises a significant question of law, they may, at any time before they render judgement, refer the case for consideration by the whole Tribunal. The quorum for a hearing by the whole Tribunal shall be five members";

(d) Former articles 8 to 13 of the Statute shall be renumbered 9 to 14, and references to those articles shall be amended accordingly;
judgement upon applications alleging non-observance

Article 1
provided that they have not served on the Tribunal for

vided that they have not served on the Tribunal for

clude "five official languages" shall be amended to read "six official languages";

clusive 1 January 2001 shall have their current term of office extended by one year, and that thereafter, provided that they have not served on the Tribunal for more than seven years, they may be reappointed once;

3. Further decides that the Statute, with effect from 1 January 2001, shall read as it appears in the annex to the present resolution.

ANNEX
Statute of the Administrative Tribunal of the United Nations

Article 1
A Tribunal is established by the present Statute to be known as the United Nations Administrative Tribunal.

Article 2
1. The Tribunal shall be competent to hear and pass judgement upon applications alleging non-observance of contracts of employment of staff members of the Secretariat of the United Nations or of the terms of appointment of such staff members. The words "contracts" and "terms of appointment" include all pertinent regulations and rules in force at the time of alleged non-observance, including the staff pension regulations.

2. The Tribunal shall be open:

(a) To any staff member of the Secretariat of the United Nations even after his or her employment has ceased, and to any person who has succeeded to the staff member's rights on his or her death;

(b) To any other person who can show that he or she is entitled to rights under any contract or terms of appointment, including the provisions of staff regulations and rules upon which the staff member could have relied.

3. In the event of a dispute as to whether the Tribunal has competence, the matter shall be settled by the decision of the Tribunal.

4. The Tribunal shall not be competent, however, to deal with any applications where the cause of complaint arose prior to 1 January 1950.

Article 3
1. The Tribunal shall be composed of seven members, no two of whom may be nationals of the same State. Members shall possess the requisite qualifications and experience, including, as appropriate, legal qualifications and experience. Only three members shall sit in any particular case.

2. The members shall be appointed by the General Assembly for four years and may be reappointed once. A member appointed to replace a member whose term of office has not expired shall hold office for the remainder of his or her predecessor's term, and may be reappointed once.

3. The Tribunal shall elect its President and its two Vice-Presidents from among its members.

4. The Secretary-General shall provide the Tribunal with an Executive Secretary and such other staff as may be considered necessary.

5. No member of the Tribunal can be dismissed by the General Assembly unless the other members are of the unanimous opinion that he or she is unsuited for further service.

6. In case of a resignation of a member of the Tribunal, the resignation shall be addressed to the President of the Tribunal for transmission to the Secretary-General. This last notification makes the place vacant.

Article 4
The Tribunal shall hold ordinary sessions at dates to be fixed by its rules, subject to there being cases on its list which, in the opinion of the President, justify holding the session. Extraordinary sessions may be convoked by the President when required by the cases on the list.

Article 5
1. The Secretary-General of the United Nations shall make the administrative arrangements necessary for the functioning of the Tribunal.

2. The expenses of the Tribunal shall be borne by the United Nations.

Article 6
1. Subject to the provisions of the present Statute, the Tribunal shall establish its rules.

2. The rules shall include provisions concerning:

(a) Election of the President and Vice-Presidents;

(b) Composition of the Tribunal for its sessions;

(c) Presentation of applications and the procedure to be followed in respect to them;

(d) Intervention by persons to whom the Tribunal is open under paragraph 2 of article 2, whose rights may be affected by the judgement;

(e) Hearing, for purposes of information, of persons to whom the Tribunal is open under paragraph 2 of article 2, even though they are not parties to the case; and generally,

(f) Other matters relating to the functioning of the Tribunal.

Article 7
1. An application shall not be receivable unless the person concerned has previously submitted the dispute to the joint appeals body provided for in the Staff Regulations and the latter has communicated its opinion to the Secretary-General, except where the Secretary-General and the applicant have agreed to submit the application directly to the Administrative Tribunal.

2. In the event of the joint body's recommendations being favourable to the application submitted to it, and insofar as this is the case, an application to the Tribunal shall be receivable if the Secretary-General has:

(a) Rejected the recommendations;

(b) Failed to take any action within thirty days following the communication of the opinion;

(c) Failed to carry out the recommendations within thirty days following the communication of the opinion.

3. In the event that the recommendations made by the joint body and accepted by the Secretary-General are unfavourable to the applicant, and insofar as this is the case, the application shall be receivable, unless the joint body unanimously considers that it is frivolous.

4. An application shall not be receivable unless it is filed within ninety days reckoned from the respective
dates and periods referred to in paragraph 2 above, or within ninety days reckoned from the date of the communication of the joint body’s opinion containing recommendations unfavourable to the applicant. If the circumstance rendering the application receivable by the Tribunal, pursuant to paragraphs 2 and 3 above, is anterior to the date of announcement of the first session of the Tribunal, the time limit of ninety days shall begin to run from that date. Nevertheless, the said time limit on his or her behalf shall be extended to one year if the heirs of a deceased staff member or the trustee of a staff member who is not in a position to manage his or her own affairs files the application in the name of the said staff member.

5. In any particular case, the Tribunal may decide to suspend the provisions regarding time limits.

6. The filing of an application shall not have the effect of suspending the execution of the decision contested.

7. Applications may be filed in any of the six official languages of the United Nations.

Article 8
Where the three members of the Tribunal sitting in any particular case consider that the case raises a significant question of law, they may, at any time before they render judgement, refer the case for consideration by the whole Tribunal. The quorum for a hearing by the whole Tribunal shall be five members.

Article 9
The oral proceedings of the Tribunal shall be held in public unless the Tribunal decides that exceptional circumstances require that they be held in private.

Article 10
1. If the Tribunal finds that the application is well founded, it shall order the rescinding of the decision contested or the specific performance of the obligation invoked. At the same time, the Tribunal shall fix the amount of compensation to be paid to the applicant for the injury sustained should the Secretary-General, within thirty days of the notification of the judgement, decide, in the interest of the United Nations, that the applicant shall be compensated without further action being taken in his or her case, provided that such compensation shall not exceed the equivalent of two years' net base salary of the applicant. The Tribunal may, however, in exceptional cases, when it considers it justified, order the payment of a higher indemnity. A statement of the reasons for the Tribunal's decision shall accompany each such order.

2. Should the Tribunal find that the procedure prescribed in the Staff Regulations or Staff Rules has not been observed, it may, at the request of the Secretary-General and prior to the determination of the merits of the case, order the case remanded for institution or correction of the required procedure. Where a case is remanded, the Tribunal may order the payment of compensation, which is not to exceed the equivalent of three months' net base salary, to the applicant for such loss as may have been caused by the procedural delay.

3. In all applicable cases, compensation shall be fixed by the Tribunal and paid by the United Nations or, as appropriate, by the specialized agency participating under article 14.

Article 11
1. The Tribunal shall take all decisions by a majority vote.

2. Subject to the provisions of article 12, the judgements of the Tribunal shall be final and without appeal.

3. The judgements shall state the reasons on which they are based.

4. The judgements shall be drawn up, in any of the six official languages of the United Nations, in two originals, which shall be deposited in the archives of the Secretariat of the United Nations.

5. A copy of the judgement shall be communicated to each of the parties in the case. Copies shall also be made available on request to interested persons.

Article 12
The Secretary-General or the applicant may apply to the Tribunal for a revision of a judgement on the basis of the discovery of some fact of such a nature as to be a decisive factor, which fact was, when the judgement was given, unknown to the Tribunal and also to the party claiming revision, always provided that such ignorance was not due to negligence. The application must be made within thirty days of the discovery of the fact and within one year of the date of the judgement. Clerical or arithmetical mistakes in judgements, or errors arising therein from any accidental slip or omission, may at any time be corrected by the Tribunal either of its own motion or on the application of any of the parties.

Article 13
The present Statute may be amended by decision of the General Assembly.

Article 14
1. The competence of the Tribunal shall be extended to the staff of the Registry of the International Court of Justice upon the exchange of letters between the President of the Court and the Secretary-General of the United Nations establishing the relevant conditions.

2. The Tribunal shall be competent to hear and pass judgement upon applications alleging non-observance of the regulations of the United Nations Joint Staff Pension Fund arising out of the decision of the United Nations Joint Staff Pension Board submitted to the Tribunal by:

(a) Any staff member of a member organization of the Pension Fund which has accepted the jurisdiction of the Tribunal in Pension Fund cases who is eligible under article 21 of the regulations of the Fund as a participant in the Fund, even if his or her employment has ceased, and any person who has acceded to such staff member's rights upon his or her death;

(b) Any other person who can show that he or she is entitled to rights under the regulations of the Pension Fund by virtue of the participation in the Fund of a staff member of such organization.

3. The competence of the Tribunal may be extended to any specialized agency brought into relationship with the United Nations in accordance with the provisions of Articles 57 and 63 of the Charter upon the terms established by a special agreement to be made with each such agency by the Secretary-General of the United Nations. Each such special agreement shall provide that the agency concerned shall be bound by
the judgements of the Tribunal and be responsible for the payment of any compensation awarded by the Tribunal in respect of a staff member of that agency and shall include, inter alia, provisions concerning the agency’s participation in the administrative arrangements for the functioning of the Tribunal and concerning its sharing the expenses of the Tribunal.

4. The competence of the Tribunal may also be extended, with the approval of the General Assembly, to any other international organization or entity established by a treaty and participating in the common system of conditions of service, upon the terms set out in a special agreement between the organization or entity concerned and the Secretary-General of the United Nations. Each such special agreement shall provide that the organization or entity concerned shall be bound by the judgements of the Tribunal and be responsible for the payment of any compensation awarded by the Tribunal in respect of a staff member of that organization or entity and shall include, inter alia, provisions concerning its participation in the administrative arrangements for the functioning of the Tribunal and concerning its sharing the expenses of the Tribunal.