

**Chief Executives Board  
for Coordination**CEB/2009/6  
16 October 2009**Conclusions of the Eighteenth Session of  
the High Level Committee on Management  
(United Nations Secretariat, New York, 29-30 September 2009)****TABLE OF CONTENTS**

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## INTRODUCTION

1. The High Level Committee on Management held its eighteenth regular session at the United Nations Headquarters, New York, on 29-30 September 2009. The meeting was chaired by the Committee's Chairperson, WFP Executive Director, Josette Sheeran.

### I. Adoption of the agenda and programme of work



#### *Documents:*

- ✓ *CEB/2009/HLCM/20/Rev.1 – Revised Agenda*
- ✓ *CEB/2009/HLCM/20/ Add.1 - Programme of work*
- ✓ *Checklist of Documents*

2. The agenda as adopted by the Committee is reflected in the table of contents.
3. The complete list of participants is provided in Annex I.
4. The checklist of documents is in Annex II. All documents related to the session are available on the CEB website at: <https://hlcm.unsystemceb.org/documents/September2009/>
5. After her welcoming remarks, the Chair informed the Committee that the Vice-Chair of HLCM, Mr. Denis Aitken, was retiring and a new Vice-Chair would have to be appointed. The Committee joined the Chair in thanking Mr. Aitken again for his tremendous contribution to the work of the Committee, and wished him much happiness in his retirement. The Chair then indicated that she would undertake informal consultations with HLCM members after the meeting, and would make a proposal to the Committee for the nomination of a new Vice-Chair in due course.

### II. Dialogue with FICSA, CCISUA and UNISERV

6. HLCM welcomed the representatives of the three Staff Federations – FICSA, CCISUA and UNISERV. The full statements made by each Federation are reflected in Annexes III-V of this report. The three Federations addressed similar concerns, namely: a) Staff Safety and Security: this remained the top concern and as such staff representatives had actively participated in the Steering Committee on Safety and Security and fully supported the proposals developed by the HR Network. They stressed that measures to ensure the safety and security of national staff were urgently needed; b) UN Cares: the Federations stressed that funding and support for the UN Cares Programme was absolutely necessary and that it was essential that organizations stood behind their endorsement at the HLCM meeting in September 2008 of the UN Cares work-plan and budget for 2010–2011; c) Mandatory Age of Separation: Staff Federations supported the HR Network proposal to increase the mandatory age of separation from 60 to 62, without infringing on the acquired rights of staff engaged prior to 1990 to retire with full benefits should they so wish; and to give future consideration to increasing the retirement age to 65 years, based on the results of the actuarial study by the UN Joint Staff Pension Fund Board in 2010.

7. The Staff Federations re-iterated their request to explore options to enhance staff-management dialogue during the HLCM sessions. FICSA addressed two urgent requests. The first was a plea to New York based organizations to offer space for a small FICSA liaison office to accommodate a part-time secretary. The second request concerned the release and funding of the FICSA General Secretary for one further year to complete her two-year mandate.

The Committee:

8. Thanked the Staff Representatives for their statements and noted that the Staff Federations are invited to the meetings of the HR Network and actively participate in many of its working groups, as well as in the HLCM Steering Committee on Staff Safety and Security.

9. Proposed to the three Federations to consider forwarding their statements in advance, which would allow the Committee to have a more substantive discussion on a limited number of key issues, to be highlighted and prepared ahead of the meeting. HLCM also encouraged the Federations to consider preparing a joint statement.

10. Urged FICSA to submit a business case on their requirements to the HR Network, for its consideration and recommendations.

### III. Security and Safety of Staff

#### Documents:

- ✓ *CEB/2009/HLCM/21 – Status Report of the Steering Committee on Staff Safety and Security*
- ✓ *CEB/2009/HLCM/22 – Proposals developed by the HR Network*
- ✓ *CEB/2009/HLCM/23 – Report of the 4-6 August 2009 meeting of IASMN*

#### (A) Briefing by the USG/DSS

11. HLCM welcomed the newly appointed Under-Secretary General for the UN Department for Safety and Security, Mr. Gregory Starr.

12. USG Starr provided the Committee with a detailed picture and analysis of the current situation regarding the security and safety of UN system staff which reflected not only the growth of hostile intent towards the UN as manifested in both criminal and terrorist attacks on UN personnel and facilities, but also underscored the high probability of such attacks continuing. While commending the level of progress that had been made since 2003 to strengthen the UN system's security management system, and the speed at which this progress had been made, due in large part to the collective understanding of the leadership of the organizations comprising the UNSMS, he made it clear that there was still much more to be done and outlined his vision and objectives in this regard. This included the USG's firm intent to strengthen his Department and the consultative approach with the HLCM, and to continue his direct engagement with the operational work of the Inter Agency Security Management Network (IASMN).

13. The Committee thanked Under-Secretary-General Starr and re-iterated HLCM's commitment to a collaborative and constructive relationship with UNDSS and the Inter-Agency Security Management Network (IASMN).

#### **(B) Steering Committee's status report**

14. The Committee considered a status report from the Steering Committee on Staff Safety and Security, presented by its Chair, Ms. Susana Malcorra, USG/DFS. The update covered progress on the CEB decisions and recommendations for a comprehensive plan for a strengthened system-wide security management system, as approved by the Board during its 2009 Spring session, and specifically: implementation of Host Country Liaison Committees; Revision of the Framework of Accountability and Field Security Handbook; implementation of the Executive Group on Security; accreditation scheme for Designated Officials; implementation of new model of Security Risk Management; pilot test of the new Security Level System; development of Policy and Guidelines for Estate Safety and Security.

15. HLCM took note of progress, thanked the Staff Representatives for their active contribution in this work, as well as USG Malcorra for the exceptional effort in leading the Steering Committee, and requested the Steering Committee to report back to HLCM on the completion of all tasks at its 19<sup>th</sup> session.

#### **(C)(i) - Communication Tool to Inform Staff of Security Related Entitlements and Benefits**

16. The Committee endorsed the three communication brochures developed to inform staff about security related entitlements and benefits, and requested organizations to ensure that changes to the generic information were coordinated via the HR Network on an annual basis.

#### **(C)(ii) - Comparative Review of Service-Incurred Compensation; and**

#### **(C)(iii) - Proposals for Improving Security Measures for National Staff**

The Committee:

17. Requested the HR Network to obtain feedback on its proposals regarding "Service-incurred compensation in the event of a malicious act" and "Improving security measures for National staff" from the relevant HLCM Networks, namely the Legal Network, IASMN, and the FB Network, and to complete work on the missing elements (cost implications), as well as on the refinement and further development of any substantive aspects of the proposals.

18. Requested that the results of such work be put forward to the Steering Committee for Safety and Security as a prioritized set of recommendations for review and subsequent approval by HLCM at its Spring 2010 session, plus those set of recommendations that would require further consideration by HLCM.

19. Requested that such additional work be carried out with a view to providing the Committee with a comprehensive review of the safety and security procedures applicable to international staff, national staff, and non-staff personnel for comparable international organizations as well as for a selected number of Member States, and to identifying benchmarking and best practices for each of the measures, policies and support systems included in the original proposals.

20. Asked those HLCM member organizations that led the development of the original proposals under the aegis of the HR Network to continue leading this additional work. Recognizing the considerable effort required to complete this task, requested other member organizations to assign dedicated and expert staff from financial, legal and security backgrounds to support the lead agencies in this work.

21. Requested that this further work be also carried out in full consultation with the HR/FB Network Working Group that is conducting a review of compensation plans for service-incurred death, illness or disability (Appendix D), with a view to developing and submitting a consolidated outcome to HLCM.

**(C)(iv) - Rapid Response Administration Personnel as part of Immediate Crisis Response**

22. The Committee endorsed the formation of a Rapid Response Team to support country offices in the event of a crisis.

**(D) Report of the Inter-Agency Security Management Network – IASMN**

The Committee:

23. Endorsed the revised Framework for Accountability as outlined in Annex B of the Report of the 4-6 August 2009 meeting of Inter-Agency Security Management Network (CEB/2009/HLCM/23); recommended its approval by CEB at the Board's 2009 fall session and its subsequent transmission to the General Assembly for approval.

24. Approved the revised Terms of Reference for the Inter-Agency Security Management Network, as outlined in Annex C of the Report of the 4-6 August 2009 meeting of IASMN (CEB/2009/HLCM/23).

#### IV. Thematic Discussion on: UN Reform on contractual arrangements



##### *Documents:*

- ✓ *CEB/2009/HLCM/24 – Discussion paper on management implications and key challenges of the reform of contractual arrangements*
- ✓ *CEB/2009/HLCM/25 – Results of the CEB survey on UN system organizations adoption of contractual reforms*

25. This was the first “thematic discussion” held by HLCM – intended to share perspectives, experiences, and best practices related to issues of concern to the UN top management.

26. HLCM was briefed on the HR contractual reform that went live for the UN Secretariat and UN Funds and Programmes on 1 July 2009. The UN Secretariat/OHRM led the discussion, focusing on the managerial implications of the reform. The aim of the reform was to maintain and develop a strong workforce of the highest quality through the introduction of greater fairness and equity among staff with regard to the conditions of service. The framework of contractual arrangements targeted an overall increase in effectiveness, productivity and performance for both the organizations and their staff, together with lower administrative and transactional costs, balancing these improvements against the potential direct costs associated with greater equity in pay and benefits. More than 70,000 staff members from the UN Secretariat and Funds and Programmes were affected by the reform.

27. Further work needed to be done in areas such as the review by the General Assembly of the Continuing Appointment and implementation measures; the one-time and final review of staff eligible for consideration for permanent appointment; and the development of implementation tools, such as manuals and guidelines. Some of the challenges were: consistency in implementation; aligning budgeting and HR approaches; linkages with the new Administration of Justice; supporting and guiding managers; and making more effective use of the performance management system.

28. The UN Funds and Programmes, who are directly impacted by the reform, worked closely with the UN Secretariat to deliver the changes within the timeframe. HR Directors highlighted such issues as the need for flexibility due to their organizations’ specific operational needs and funding situations; the importance of communication and dialogue with staff and other stakeholders; and that of career management.

29. As a specialized agency, WHO implemented contractual reform more than two years ago and shared its experience. Some of the challenges WHO had faced related to funding uncertainties with respect to project assignments; the fine-tuning of recruitment and selection procedures in order to bolster the organization's ability to staff its programmes in a timely and efficient manner; and the need to improve the matching between appropriate contract type and the functions envisaged.

30. Other organizations mentioned, among the key challenges of this reform, the importance of the commitment and support from the top management; sustained and comprehensive communication with the staff; the challenges of extra-budgetary funding; the adjustments and preparation for the new internal justice system; and, the identification of criteria for conversion to Continuing Appointments. The wish for the General Assembly to allow for flexibility in view of specific operational needs of the Funds and Programmes was expressed.

The Committee:

31. Recognized, among the key challenges of the reform of contractual arrangements: the need for flexibility in its implementation, given the different operational realities of organizations; difficulties with determining types of appointments solely based on the nature of functions and not on the source of funding for posts and/or availability of resources; and the critical importance of effective performance management systems.

32. Re-affirmed the request to the HR Network to ensure a coordinated approach to dealing with the reform on contractual arrangements, as well as timely and detailed information sharing as implementation progresses.

33. Agreed to hold a thematic discussion at the next meeting on the new system for Administration of Justice, including on the positions of the ILO Administrative Tribunal.

## V. HLCM Plan of Action for the Harmonization of Business Practices; and, Coordination with UNDG on management issues



### Documents:

- ✓ *CEB/2008/HLCM/26 – Plan of Action for the Harmonization of Business Practices – Draft Terms of Reference of the selected priority projects.*
- ✓ *A/63/L.103 – General Assembly Resolution on System-wide Coherence*
- ✓ *ECOSOC Resolution E/2009/L.18 on Progress in the Implementation of GA resolution 62/208 on the TCPR*

34. The Director of the CEB Secretariat and the HLCM Secretary briefed the Committee on the latest developments on the inter-governmental discussion on harmonization of Business Practices in the UN System, and on the fund raising campaign for the HLCM Plan of Action.

The Committee:

35. Considered the outcome of the work carried out by its Networks in response to the Committee's request *“to carry out a review of all the projects included in the Plan of Action, with a view to assessing their relevance and priority in light of the changed financial context, and to refining their expected outcomes, timelines and projected resource requirements, also based on the feedback already received from the donor community”* and *“to identify areas where work could and should proceed independently of external funding, and to commit the necessary financial and human resources to such priority areas”*.

36. Took note of the encouraging recognition at the highest inter-governmental level of the work carried out by the Committee towards simplification and harmonization of business practices, as well of Member States' request to continue such work under the guidance of organizations' respective executive boards and governing bodies.

37. Took note of developments with the selection of priority projects from the original Plan of Action, as proposed by the HLCM Networks. It recommended to expedite action, under the guidance of the Steering Committee for Business Practices, to allocate funds upon their receipt and to start project

implementation. It also requested organizations to ensure continuing support within agencies participating in each project, as well as compliance with agreed timeframes, and frequent and transparent reporting to donors and to the CEB.

38. Took note of the briefing by the Director of the UN Development Operations Coordination Office (DOCO) on UNDG activities in the area of management, appreciated the joint effort by the CEB Secretariat and DOCO to strengthen the coordination and information sharing mechanisms between their respective constituencies, and recommended continuing on this well-established pattern of coordination.

## VI. Mandatory age of separation



### Documents:

- ✓ *Note by the HR Network on Mandatory Age of Separation (ICSC/69/R.2)*
- ✓ *CEB/2008/HLCM/27 – Excerpt from the Report of the 18<sup>th</sup> session of the HR Network (CEB/2009/HLCM/HR/46/Rev.1) and relevant ICSC decision.*

The Committee:

39. Considered the UN Joint Staff Pension Board's recommendation, at its fifty-sixth session, that "*given the impact that increasing longevity will have on the financial situation of the Fund, its [Working Group on Plan Design] would need to consider the emerging trends in personnel policies further and possibly in conjunction with the normal retirement age provisions*", and that "*such issues would require close consultations with ICSC and the HLCM*".

40. Considered the preliminary recommendations of the HR Network regarding the possibility of raising the mandatory age of separation, and decided that such recommendations should be further reviewed in light of the results of the forthcoming actuarial study to be carried out by the UN JSPF Board., i.e. after the financial sustainability of the Fund is quantified and a more detailed assessment is made of whether financial sustainability considerations should be driving changes in the mandatory separation age. .

41. Requested member organizations to consult and nominate a few representatives to participate in the UNJSPF Working Group on Plan Design, and to provide the requested policy guidance to the Pension Board, prior to finalization of its work on this subject. Nominations should be forwarded to the CEB Secretariat.



## VII. UN Leaders Programme

### Documents:

- ✓ *UN Leaders Programme: Facing Global Challenges through Leadership Innovation*
- ✓ *UN Leaders Programme - Executive Summary (1<sup>st</sup> cohort, May 11<sup>th</sup> – 15<sup>th</sup> 2009)*
- ✓ *UN Leaders Programme - A Programme for Strategic UN Leadership*

The Committee:

42. Took note of the report from the first cohort of the UN Leaders Programme, which took place in Turin on 11-15 May 2009, and of the Staff College plans to further develop the Programme by delivering a second cohort from 30 November to 4 December 2009 on Accountability & Ethics, and by offering another three courses in 2010 with an estimated participation of about 40 people each time.

43. Congratulated UNSSC on the success, and encouraged the College to continue along this path in planning and designing additional sessions of the Programme, to cover the entire audience of UN leaders.

44. Asked the Business Practices Steering Committee to give due consideration to including the UN Leaders Programme among its priority projects when allocating funds for the implementation of the HLCM Plan of Action for the Harmonization of Business Practices.

## VIII. HLCM Networks

### (A) PROCUREMENT

#### Documents:

- ✓ *CEB/2009/HLCM/28 – Sustainable Procurement – Note on joint EMG, HLCM PN work 2008-09*
- ✓ *Guidelines for Harmonized UN Procurement at the Country Level*
- ✓ *Secretary General Comprehensive Report on UN Procurement Activities – Sustainable Procurement (A/64/284/Add.2)*

#### (i) *Status Report on Vendor Eligibility Project*

The Committee:

45. Took note of the status report on the Vendor Eligibility project. Underlined the need to take this project to a speedy and successful conclusion, ensuring delivery of a quality outcome, informed by the conclusions of the Inception Report prepared by the Policy Expert. Stressed that the future course of action on this subject should be a management decision, as informed by the technical advice of the Legal Network; and, noted the critical role of this project towards increased transparency and accountability and the importance of action on this issue to Member States and the public at large.

*(ii) Update on the Activities of the HLCM Procurement Network*

The Committee:

46. Took note of the objectives and work-plan of the HLCM Procurement Network Working Group on Harmonization, which respond to both priorities of “achieving efficiencies” and supporting “delivering as one” at the country level’, as they identify ways to progressively develop a common procurement system. Requested the HLCM PN to continue working in collaboration with the UNDG Task Team on Common Services and Procurement with the objective to address other priorities in the harmonization of procurement policies and procedures that are identified at the country level, either by the “delivering as one” pilot countries or others.

*(iii) Sustainable procurement*

The Committee:

47. Commended the Procurement Network, the EMG and UNEP Sustainable United Nations (SUN) on the progress made together on sustainable procurement.

48. Acknowledged the concept of sustainable procurement, as per the comprehensive report on sustainable procurement presented by the Secretary General for the 64<sup>th</sup> session of the General Assembly (A/64/284/Add.2).

49. Endorsed the joint programme of work (CEB/2009/HLCM/28) and requested the EMG and the HLCM PN to continue assisting agencies in the transition to sustainable procurement by providing capacity building, training and practical guidance to staff involved in procurement and requisitioning activities as well as to suppliers to ensure a fair and consistent application and transition to more sustainable practices.

50. Welcomed the consideration by the EMG of a comprehensive approach to sustainable management practices in the UN system, including the consolidation of sustainable procurement and UN climate neutral activities. Within this larger framework, encouraged EMG and the HLCM PN to continue their joint work at technical level on sustainable procurement.

51. Recommended that all such future work by the HLCM Procurement Network on Sustainable Procurement be informed by and structured along the principles that will emerge from the forthcoming discussion by the General Assembly of Secretary General’s report A/64/284/Add.2.

**(B) FINANCE AND BUDGET**



**Document:**

✓ *CEB/2009/HLCM/29 – IPSAS Progress Report*

52. The IPSAS Progress report, as presented by the Co-Chair of the Finance and Budget Network, provided an update on the revised implementation dates, with most organization now targeting either 2010 or 2012, and one organization, WFP, who had successfully implemented IPSAS effective 2008 and had shared lessons learnt from its experience with others.

53. All seven IPSAS computer based training courses and eleven instructor led courses had been completed, and a coordinated roll-out of the first Orientation Course to Member State delegates was planned (some Agencies already organized brief orientation sessions on IPSAS for members of their governing bodies). The possibility of translations of the training into French and Spanish would be investigated, included the costs involved.

The Committee:

54. Took note of the progress report by the IPSAS Team, congratulated WFP on its successful implementation, appreciated the substantial progress made by several other organizations, and encouraged the Network not to lose momentum on this important task.

55. Asked the FB Network Co-Chair to undertake consultations with the Board of Auditors and the Panel of External Auditors with a view to resolve the open issues on the subject of phased IPSAS implementation.

56. Noted the importance of full support at the highest management level for a successful conclusion of the IPSAS adoption project, and requested the HLCM Chair to bring this issue to the attention of CEB at its next session.

57. Noted with appreciation the recent work of the FB Network and the three priorities selected by the Network for the Business Practices Plan, i.e. Common Treasury Services; Cost Recovery Policies; System-wide Financial Statistics.

58. Confirmed the need for a continued policy discussion on cost recovery issues. The Committee decided to establish a small group to discuss the future strategic direction of the cost-recovery harmonization initiative, acknowledging significant differences between organizations' funding structures and building on the excellent work already completed by the joint HLCM/UNDG working group. Asked member organizations to put forward proposals to the CEB Secretariat on the composition of this group.

## (C) HUMAN RESOURCES



### *Documents:*

- ✓ *CEB/2009/HLCM/30 – Policy Statement on Employment of Persons with Disabilities in the UN Workplace*
- ✓ *CEB/2009/HLCM/31 – UN Cares*

### *(i) Progress report on the main recent activities of the HR Network*

The Committee:

59. Noted with appreciation the intense work carried out by the HR Network in many areas and, particularly: the development of an Exit Interview Questionnaire to be implemented by all organizations as of July 2009; the continuing review of the Inter-Agency Mobility Accord; the launch of the Comparative Analysis of staff rules, regulations and policies, focusing on issues arising from the Delivering as One pilot countries (job descriptions, classification and grading, common performance appraisal systems and management of vacancies); the support provided to the UN Cares and Dual Career and Staff Mobility Programmes.

60. Encouraged members to positively consider funding to the UN Cares and Dual Career & Staff Mobility Programmes, to facilitate project management decisions for both Programmes and ensure a sound return on the investments already made.

61. Recalling that the Mobility Accord adopted by HLCM in 2005 is one of the critical achievements of inter-agency collaboration of the past few years, requested the HR Network to proceed expeditiously to resolve the pending issues for the definitive, system-wide adoption of one Inter-agency Mobility Accord. In this respect, HLCM asked the Legal Network to expedite the finalization of a common and definitive legal advice on the Mobility Accord-related issues submitted for its consideration by the HR Network.

62. Took note of the re-design of and progress on the Business Practices project on comparative analysis of staff rules and regulations and policies of the organizations of the UN system; encouraged the HR Network to select a consultant with the required expertise to carry out the analysis; invited organizations to collaborate in providing information; and, requested the HR Network to form a Steering Committee to oversee the project.

*(ii) Policy Statement on employment of Persons with Disabilities in the UN Workplace*

63. The Committee endorsed the Policy Statement on employment of Persons with Disabilities in the UN Workplace, and requested organizations to report on the adoption of their specific policies by mid-2010.

**(D) INFORMATION AND COMMUNICATION TECHNOLOGY**

The Committee:

64. Discussed, on the basis of the presentation by the Chair of the ICT Network, the importance of developing comprehensive approaches to information security, including the roles of both business units and ICT departments. Recent experiences of some agencies in this area lend urgency to the issue and the Committee supported the establishment of a special interest group of the ICT Network to put forward proposals to further awareness, develop common policies and procedures and explore a common incident monitoring and response capability.

65. Discussed the importance of common approaches to ICT Services, including data communications, and welcomed the update on the Data Communications Study, which highlighted opportunities for shared approaches in this area.

66. Took note with appreciation of the work carried out by the ICT Network, especially in the areas of information security, data communications and common ICT services and requested the Network to continue its efforts to develop system-wide ownership and action in these critical areas, taking into account the advice of the Legal Network on issues where needed.

## IX. ICSC Surveys on Performance Management and Inter-Agency Mobility

67. The ICSC Secretariat briefed the Committee on two studies it will undertake with the collaboration of organizations. The General Assembly in its resolution 63/251 requested the Commission to keep performance management under review and to submit an updated performance management framework to the Assembly, and to conduct a review of the current state of inter-agency mobility as a means of enhancing the coherence of the Common System.

68. A questionnaire had been sent to all organizations asking for the organizational perspective on a range of issues pertaining to performance management and inter-agency mobility. The ICSC Secretariat and its expert consultant would organize meetings with HR representatives, line managers, and staff representatives.

The Committee:

69. Took note of the upcoming launch of the ICSC surveys and encouraged HLCM organizations to assist in identifying small focus groups of 2-3 line managers for joint meetings with the ICSC Secretariat to gain the management perspective on the two subjects under review.

70. Observing that considerable time and efforts had been committed by organizations to develop and establish performance management frameworks and policies, indicated that, in order for the ICSC study to be useful to organizations, it should concentrate on better means to implement the respective policies, on the support and training required for staff and management, as well as on identifying obstacles/issues in the implementation of current performance management policies and systems, and on lessons learned and any required changes in the organizational and staff culture.

71. Encouraged the HR Network to work in cooperation with the ICSC when carrying out its Comparative Review of HR Policies and Practices, which will cover some of the same subject areas addressed by the surveys.

## X. Healthcare and its Management in the UN System



### **Document:**

✓ [CEB/2009/HLCM/32 – Healthcare and its Management in the UN System](#)

72. The United Nations Medical Directors Working Group provided the Committee with a detailed presentation on “Healthcare and its Management in the UN System”, expressing concern regarding the current capacity of the UN system to protect, manage, and monitor the health of its staff.

73. To address these issues in a coordinated and considered way, the Medical Directors outlined their vision for healthcare in UN system (including occupational health and safety), and advocated for a number of actions which they sought HLCM’s endorsement on.

74. The Medical Directors Working Group indicated that, although the organizations of the UN system employ a significant number of medical personnel, most organizations of the UN have yet to

promulgate a formal health and safety policy for their staff, and there is no coordinated management structure for the oversight, monitoring, and support of UN healthcare services. This issue was becoming increasingly important as the UN deploys more staff to the field, to duty stations where healthcare infrastructure is sub-optimal, and to areas where health and safety risks abound.

The Committee:

75. Took note of the presentation from the Medical Directors, and requested the Medical Directors Working Group to continue their work in benchmarking and identifying risks, and to develop and prioritize specific proposals that would update and enhance the provision of healthcare in the UN system.

76. Requested the Medical Directors Working Group to develop its proposals in close collaboration with the HR Network and the Inter-Agency Security Management Network (IASMN).

## **XI. Any Other Business**



### **Documents:**

- ✓ *CEB/2009/HLCM/33 – Briefing note from EMG*
- ✓ *CEB/2009/HLCM/34 – UN System WG on Accountability and Risk Management - Draft Terms of Reference*
- ✓ *CEB/2009/HLCM/35 – Concept Note on UNHAS*

### **(A) UN Climate Neutral Project**

77. HLCM took note of the progress report prepared by the Environment Management Group (EMG) on the implementation of the different elements of the UN system's commitment to climate neutrality, made by CEB member organizations at the CEB October 2007 meeting.

### **(B) UN System Agenda on Accountability and Risk Management**

The Committee:

78. Noted that several UN System organizations had made considerable progress in the past years with establishing accountability frameworks, including the development and implementation of Enterprise Risk Management systems.

79. Acknowledged the wide range of issues, concepts and subjects that could potentially fall under the umbrella of an accountability framework. These included, *inter alia*: accountability, enterprise risk management, internal control, results-based management, governance, policies and procedures, roles and responsibilities, and other transparency related subjects.

80. Appreciated the potential value of defining the terms of a common agenda at the system-wide level on the subject of accountability and risk management, and encouraged member organizations that

were interested in developing such an agenda, to convey their interest to the CEB Secretariat and nominate focal points<sup>1</sup>.

### **(C) Special Measures for Protection from Sexual Exploitation and Sexual Abuse**

81. HLCM took note of the critical importance of the work of the UN Task Force on Protection from Sexual Exploitation and Sexual Abuse, as presented by the Task Force Co-Chair, USG Susana Malcorra, and acknowledged the need to raise the profile of this issue with a view to mainstreaming it in the activity of UN organizations, especially at the field level.

82. The Committee invited the Task Force to develop proposals for a more structured approach to this matter and to present them at the spring 2010 session of HLCM.

### **(D) United Nations Humanitarian Air Service (UNHAS)**

83. HLCM took note of a WFP presentation on a recent JIU Note entitled “Review of the United Nations Humanitarian Air Service (UNHAS)”, which contains several recommendations on re-affirming the mandate and status of the common service. HLCM requested the United Nations Humanitarian Air Service (UNHAS) to open a dialogue on UNHAS in the context of the Inter-Agency Standing Committee (IASC), and to revert back to the Committee at a later date.

84. The Committee also requested UNHAS to consider the roles and responsibilities of ICAO with respect to UNHAS, with particular attention to international Aviation Standards (AVSTADS).

### **(E) Dates for the next session**

85. A proposal for dates for the 19<sup>th</sup> session of HLCM would be shortly circulated by the CEB Secretariat, taking into consideration the dates already set for the 2010 Spring Session of CEB (9-10 April 2010, Vienna).

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<sup>1</sup> The UN Secretariat, WHO, ILO, UNESCO and WFP put forward their nominations already at this meeting. Other organizations would consult internally and come back to the CEB Secretariat.

## ANNEX I – LIST OF PARTICIPANTS

**Chairperson: Ms. Josette Sheeran (WFP)**  
**Secretary: Mr. Remo Lalli (CEB Secretariat)**

Organization	Name – Title – Division
<b>United Nations</b>	<b>Ms. Angela Kane</b> , Under-Secretary-General for Management and ICT Network Chair
	<b>Ms. Susana Malcorra</b> , Under-Secretary-General for Field Support
	<b>Mr. Gregory Starr</b> , Under-Secretary-General, Department of Safety and Security
	<b>Ms. Catherine Pollard</b> , Assistant Secretary-General, Office of Human Resources Management
	<b>Mr. Warren Sach</b> , Assistant Secretary-General for Central Support Services
	<b>Mr. Jun Yamazaki</b> , Assistant Secretary-General and Controller
	<b>Mr. Jay Karia</b> , Deputy Controller and FB Network Co-Chair
	<b>Mr. Brian Davey</b> , Director, Medical Services Division, and Medical Directors WG Spokesperson
	<b>Ms. Marta Helena Lopez</b> , Chief, Human Resources Policy Service, & HR Network Spokesperson
	<b>Mr. Joel Cohen</b> , Acting Executive Officer, DPKO/DFS
<b>ILO</b>	<b>Ms. Patricia O’Donovan</b> , Executive Director, Management and Administration
<b>FAO</b>	<b>Mr. Dan Gustafson</b> , Director, FAO Liaison Office, Washington, D.C.
	<b>Ms. Sharon Haylock</b> , Officer-in-Charge, FAO Liaison Office, New York
<b>UNESCO</b>	<b>Ms. Dyane Dufresne-Klaus</b> , Director, Bureau of HRM and HR Network Spokesperson
	<b>Ms. Yolande Valle</b> , Director, Bureau of Budget
	<b>Mr. Getachew Engida</b> , Director and Comptroller, Bureau of the Comptroller
<b>ICAO</b>	<b>Ms. Fang Liu</b> , Director, Bureau of Administration and Services
<b>WHO</b>	<b>Ms. Namita Pradhan</b> , Assistant Director-General for Partnerships and UN Reform
	<b>Ms. Nicole Krüger</b> , Management Officer, General Management
<b>UPU</b>	<b>Mr. Michael Mauer</b> , Director of Human Resources
<b>World Bank</b>	<b>Mr. Pete Gallant</b> , Chief, Corporate Security & Business Continuity
<b>IMF</b>	<b>Mr. Frank Harnischfeger</b> , Director, Technology and General Services Department
<b>WMO</b>	<b>Mr. Joachim Müller</b> , Director, Resource Management Department
<b>ITU</b>	<b>Mr. Richard Barr</b> , Chief, Administration and Finance Department
<b>WIPO</b>	<b>Mr. Miguel Figuerola</b> , Director, HR Management Department
	<b>Ms. Chitra Narayanaswamy</b> , Senior Counsellor, Office of the Director-General
<b>IFAD</b>	<b>Ms. Jessie Rose Mabutas</b> , Assistant President, Finance and Administration Department
<b>UNIDO</b>	<b>Mr. Felix Ugbor</b> , Director and UNIDO Representative to the UN, New York Liaison Office
	<b>Mr. Richard Kennedy</b> , Deputy UNIDO Representative, New York Liaison Office
<b>UNWTO</b>	<b>Mr. Kazi Rahman</b> , Deputy Special Representative of UNWTO to the UN, New York
<b>IAEA</b>	<b>Mr. David Waller</b> , Deputy Director-General and Head of Management



Organization	Name – Title – Division
UNDP	Ms. Akiko Yuge, Assistant Administrator and Director/ Bureau of Management (BoM)
	Mr. Darshak Shah, Deputy Assistant Administrator & Deputy Director, and CFO/BoM
	Ms. Shirin Hamid, Director and CIO, Office of Information Systems & Technology/BoM
	Mr. Dominic Grace, Director, Procurement Support Office/BoM, and Procurement Network Spokesperson
	Ms. Françoise Nocquet, Deputy Director, Office of Human Resources/BoM
	Ms. Irina Stavenscaia, Management Specialist/ BoM
UNICEF	Mr. Omar Abdi, Deputy Executive Director
	Mr. Ayalew Abai, Comptroller
	Ms. Cecilia Lotse, Director, Governance, UN and Multilateral Affairs
	Mr. Hamish Young, Deputy Director, Office of Internal Audit and UN-RIAS Spokesperson
WFP	Ms. Josette Sheeran, Executive Director and HLCM Chair
	Ms. Gina Casar, Deputy Executive Director, Resource Management and Accountability
	Ms. Diana Serrano, Director, Human Resources Division and HR Network Spokesperson
	Mr. Robert Opp, Senior Advisor, Office of the Executive Director
UNFPA	Mr. Subhash K. Gupta, Director, Division for Management Services
	Mr. Sean Hand, Director, Division of Human Resources and HR Network Spokesperson
UNRWA	Ms. Laura Londen, Director, Administrative Support
UNHCR	Mr. Michael Alford, Deputy Director, Division of Human Resources Management
UNAIDS	Ms. Jan Beagle, Deputy Executive Director, Management & External Relations
UN-HABITAT	Mr. Antoine King, Director, Programme Support Division
UNEP	Mr. Paul Akiwumi, Chief, Executive Office, Chef-de-Cabinet
	Mr. Aniket Ghai, Environment Management Group Secretariat
ITC	Ms. Eva K. Murray, Director, Division of Programme Support
UNOPS	Mr. Vitaly Vanshelboim, Deputy Executive Director
UNSSC	Mr. Paolo Ceratto, Deputy Director, Administration and Management

**Other representatives:**

Organization	Name – Title – Division
<b>DOCO</b>	<b>Ms. Deborah Landey</b> , Director
	<b>Mr. Ashok Nigam</b> , Associate Director
<b>ICSC</b>	<b>Mr. Wolfgang Stoeckl</b> , Vice-Chairman
	<b>Mr. John Hamilton</b> , Executive Secretary
	<b>Mr. Duncan Barclay</b> , Chief, Human Resources Policies Division
<b>CTBTO</b>	<b>Mr. John Sequeira</b> , Director, Division of Administration
<b>CCISUA</b>	<b>Ms. Rita Wallace</b> , Vice-President
<b>FICSA</b>	<b>Ms. Véronique Allain</b> , Programme Secretary, Regional Representative for the Americas
<b>UNISERV</b>	<b>Mr. Claude Jumet</b> , Vice-President
	<b>Mr. Stephen Kisambira</b> , President UNSU
	<b>Mr. Thomas Ginivan</b> , First Vice-President, UNSU
<b>CEB Secretariat</b>	<b>Mr. Adnan Amin</b> , Director
	<b>Mr. Remo Lalli</b> , Secretary, HLCM
	<b>Ms. Marta Lechner-Boyce</b> , Senior Inter-Agency Advisor on HR Management
	<b>Mr. Ken Herman</b> , Senior Advisor on Information Management Policy Coordination

## ANNEX II – CHECKLIST OF DOCUMENTS

Title	Document Symbol
Revised Provisional Agenda - HLCM 18th Session, UNNY, 29-30 Sept. 2009	CEB/2009/HLCM/20/Rev.1
Programme of Work	CEB/2009/HLCM/20/Add.1
Status Report of the Steering Committee on Staff Safety and Security	CEB/2009/HLCM/21
Proposals by the HR Network on Safety and Security	CEB/2009/HLCM/22
Report of the 4-6 August 2009 Meeting of IASMN:	CEB/2009/HLCM/23
Management implications and key challenges of the reform of contractual arrangements	CEB/2009/HLCM/24
Results of the CEB survey on UN system organizations adoption of contractual reforms	CEB/2009/HLCM/25
Plan of Action for the Harmonization of Business Practices - ToRs of selected priority projects	CEB/2009/HLCM/26 draft
GA resolution on System-wide Coherence	A/63/L.103
ECOSOC Res. E/2009/L.18 - Progress in Implementation of GA Res. 62/208 on the TCPR	E/2009/L.18
Note by the HR Network on Mandatory Age of Separation	ICSC/69/R.2
Excerpt from HR Network 18th session & ICSC decision on Mandatory Age of Separation	CEB/2009/HLCM/27
UN Leaders Programme: Facing Global Challenges through Leadership Innovation	-
UN Leaders Programme: Executive Summary of Report, 1st Cohort, 11-15 May 2009	
UN Leaders Programme: A Programme for Strategic UN Leadership	
Sustainable Procurement - Note on joint EMG, HLCM PN workplan 2008-2009	CEB/2009/HLCM/28
SG Comprehensive Report on UN Procurement Activities - Sustainable Procurement	A/64/284/Add.2
Guidelines for Harmonized UN Procurement at the Country Level	-
IPSAS Progress Report	CEB/2009/HLCM/29
Policy Statement on Employment of Persons with Disabilities in the UN Workplace	CEB/2009/HLCM/30
UN Cares	CEB/2009/HLCM/31
Healthcare and its Management in the UN System	CEB/2009/HLCM/32
Other Matters: Briefing note from EMG on Climate Neutral UN	CEB/2009/HLCM/33
Other Matters: UN System Working Group on Accountability and Risk Management	CEB/2009/HLCM/34
Other Matters: United Nations Humanitarian Air Service (UNHAS)	CEB/2009/HLCM/35

### **ANNEX III – STATEMENT BY CCISUA**

Madame Chair, ladies and gentlemen, CCISUA thanks the HLCM for again inviting us to address you. We appreciate the opportunity to apprise you of our opinions on the items on your agenda, all of which are of moment to staff. As we have done in the past, we would however like to reiterate our position that the time has come and is past for this Committee to find a new way of working with staff federations.

Our presence has traditionally been limited to the “dialogue” with the Federations at the beginning of the agenda, and this dialogue consists of you hearing our statements and saying goodbye, while you continue to discuss, without our input, matters of concern to us, including security, HR policies, and even IPSAS implementation. We thank Ms. Obaid for changing that to a great extent during her tenure as chair, as a result of which we see greater inclusion in this meeting. We want to repeat that staff are not the enemy of management. We are not outside the organization, but are the elected representatives of staff—the very people who will implement and live with the decisions taken by this Committee. Again we ask: let us not sit on either side of the table with the problem between us; let us sit at the same side of the table, put the problem on the other side, and attack it together. We are happy to note that there is precedence for this way of regarding the staff representatives within the organizations represented on this Committee. To that end we ask that you continue to review your position to ensure that this is a true and inclusive dialogue.

In this regard, we would be grateful if, as was done in the last session, the Federations were able to remain during the discussion on security which follows this one, and to return for the discussion on other items of particular relevance to the wellbeing of staff, particularly the items under the HR heading.

We would like to comment briefly on some of the items on the agenda:

#### **Security**

As you know this has been a primary concern of this Federation, which includes among our membership many field-based organizations, including UNHCR, UNICEF, and WFP, who traditionally bear the brunt of the security related incidents. In September 2007 we said to you: “The UN cannot continue to allow its staff to be killed when civil conflict or war breaks out on the premise that the security of national staff is not the UN’s responsibility.” Three months later, the tragedy of Algiers took place, with the toll we all know on national staff.

Last September when addressing this meeting, USG David Veness, said: “At multiple locations, the United Nations should now be considered at an equivalent threat level as member states targeted by terrorism. However, the United Nations and humanitarian operations, including our personnel, facilities and assets, are much more vulnerable targets due to the scope and accessibility of our activities. We also have more limited resources than states to devote to their safety and security.”

The threats continue, the resources remain inadequate, and staff continue to pay the ultimate price. UNHCR and UNICEF alone lost four staff members this year, all in the same country and two within the last three months.

We are delighted to welcome the comprehensive report on the Safety and Security of staff contained in CEB/2009/HLCM/22, as well as the report of the Steering Committee in CEB/2009/HLCM/21. Together they address many of the issues we have been highlighting in various fora for some time.

We welcome as well the acknowledgement that the threats facing UN staff are different and more immediate than the threats facing staff of other international organizations, and that the protections we have, whether legally or financially, fall somewhat short of the best prevailing conditions. We continue to urge this Committee through the Secretary General to insist that member states afford staff the protection that is required of host countries. Both state and non-state actors continue to attack the UN with impunity. The SG must insist on our safety and if this is not provided we should reconsider our presence in those countries. We cannot fulfil the mandate of the Organization if we must do our work in fear of our lives.

## **Security of National Staff**

We take note in particular of the comprehensive study on the difference in treatment of national staff and non-staff during emergencies, which we have seen for ourselves and which our staff endure each time there is a security incident. We will do all in our power to support a position by the Organization with Member States that UN staff deserve and must have protection, whether they are nationals of the country in which they work, or expatriates.

We welcome the long-overdue consideration being given to improving security measures in place for National Staff. There are a number of important developments in this area, and particularly welcome the reference to extending “the security-related entitlements and benefits outlined in the Field Security Handbook related to Minimum Operating Residential Security Standards (MORSS) to national personnel subject to a security risk assessment by UNDSS.”

National staff are often on the front line when it comes to danger, but with many fewer avenues of protection than international staff. No MORSS, no R&R, no evacuation. Local personnel are even worse off. Following emergencies and security incidents, because the UN’s system do not have, as noted, a way to compensate non-staff in particular, it is the staff unions and associations of the system who have traditionally stepped in. After Algiers, the UNDP Staff Association coordinated a system-wide collection to help the families of non-staff victims. Following the cyclone in Myanmar, the UNICEF Staff Association coordinated staff contributions from the UN Secretariat and UNICEF. After the Gaza crisis earlier this year, we acted similarly, and the UNICEF Staff Association alone collected from staff almost \$60,000 to help those affected. An international organization of the standing of the UN should not have to resort to these ad hoc measures to help people who are victims solely because they work for the UN.

We continue to believe that the policies of the United Nations must evolve to keep pace with the new realities which face our staff and which are so well documented in the paper. We come from a security mindset which suggested that staff were safe in their own countries, and that their governments were willing and able to protect them. Experience has shown, sadly, time and time again, that this is not so, and we therefore strongly support measures to ensure that the toll on national staff is mitigated and the threats and risks reduced to a manageable and foreseeable level.

## **Contractual Arrangements**

Almost all of CCISUA’s members will be directly affected by the UN’s new contractual framework. We believe that simplifying a unifying the contractual framework is a step in the right direction, and we trust that as soon as the General Assembly approves the issuance of continuing contracts all Organizations, no matter how they are funded, will move to the new framework. The ICSC, the SG, and the General Assembly have to this point all used language to the effect that the “separately administered funds and programmes” will have the “flexibility” about whether or not they award continuing contracts. We urge that ALL organizations subject to the UN’s Staff Regulations and Rules adopt the new contractual framework. If we are trying to harmonize under the One UN, we should not be creating a system where some staff are “more equal than others”, in the immortal words of George Orwell.

We urge the Organizations to ensure a minimum standard of employment protections, in line with the relevant International Labour Standards and good practices from national and intergovernmental sources. CCISUA will never be railing against the Noblemaire and Fleming Principles. However, it is clear that if we – as the United Nations family – wish to recruit and retain staff of the highest standards of efficiency, competence, and integrity, we must look beyond salary levels to the “conditions of service” referenced in Article 101 of the UN Charter. The security of the employment contract forms an indispensable foundation on which our terms and conditions of work are built.

## **Mandatory Age of Retirement**

We note the new proposal the mandatory age of separation reflects the thorough discussion we along with HR Network members had at the last meeting, and again at the ICSC Session in July. We support the final proposal: To Increase the mandatory age of retirement from 60 to 62, without infringing on the acquired rights of staff engaged prior 1990 to retire with full benefits should they so wish, and giving future consideration of increasing the retirement age, in light of the actuarial evaluation, review of the plan design and full consideration by the UN Joint Staff Pension

Board. CCISUA wishes to reiterate our contention that this agreement is based on the fact that the choice of whether to stay beyond the normal retirement age should be at the discretion of the staff member and should not be imposed by the executive head of the relevant organization.

### **UN Health Care**

We echo the concern of the United Nations Medical Directors Working Group about the health care system in the United Nations, and we urge that in addition to the steps already outline, a thorough review of the entire system should take place and should start with the level of care in the facilities themselves, particularly those away from New York and Geneva Headquarters. Staff have found numerous deficiencies which are putting at risk the health of staff and their dependants. At a recent visit to Addis we heard horror stories of incompetence and negligence: the staff member who was sent home with painkillers who died hours later of a heart attack; the patient who was told he was suffering a stroke, yet was required to get himself to a hospital, by which time of course the stroke was fully developed. One staff member who is a medical doctor told us she treats her children herself, and if there were something she was unable to do, she would not take them to the UN Health Centre, because they would also be unable to do it. We believe a review is long overdue and would make a positive difference in the lives of staff members.

As the UN expands its field presence and more medical care is needed in locations away from headquarters, it might also be time to consider again the idea of establishing a separate category for medical staff, particularly physicians. Our pay structure sees a P-4 accountant, a P-4 librarian, and a P-4 doctor as equal and interchangeable. In fact in most countries of the world physicians, due to the additional years of training and the life-and-death decisions they take, command a different salary structure. Our equality of pay may be resulting in our getting only those physicians who have limited options in their national contexts, and who may or may not be the best available. The ICSC has said on numerous occasions that they are willing to establish a separate scale for nuclear physicists from IAEA; maybe they would be willing to do the same for physicians and other technical health experts.

### **Disabilities**

We commend the report of the working group on disability which we hope will be followed by a strong commitment in the part of the entire Common System to ensure that our hiring practices do not discriminate, and that all persons who are able to carry out the work of the Organization, including those with disabilities, will have a chance to be hired into a workplace free of physical and legal obstacles to their functioning. Of course, as with all policies, implementation and monitoring are essential elements. We urge that measures be put in place from the earliest possible stage to allow for the Organizations to collect data and assess their performance in implementation.

### **UN Cares**

We note with dismay the continuing lack of support to UN Cares, which will lead to a drastically reduced capacity to assist staff. It is ironic that the SG one day launches UN Cares with great fanfare, and then not very much later they are having to come cap in hand to beg for funding. We acknowledge that there are financial constraints across the Organization due to the global economic crisis, but it is precisely at these moments that staff need assistance the most. We urge the organizations represented here to reconsider some of their spending priorities in this biennium, deferring the optional in favour of the necessary. We believe funding and support for UN cares is absolutely necessary.

### **Other agenda items**

We have just brief comments on some of the other items on the agenda:

- Welcome the successful rollout of the first UN leaders programme and encourage follow-up 360 evaluations of all the participants. Our experience is that some management training leads to results, but the need for constant reinforcement is evident in many of our organizations.

- We also salute and support the effort to reduce our greenhouse emissions and believe the proposed review is a valuable first step.
- In conjunction with our managers, we would like to see more progress on risk management and accountability. We must ensure we are better at assessing and evaluating our interventions and take appropriate risk.

Finally, we would like thank you again for giving us the opportunity to address you and we continue our commitment to working closely with HLCM, the HR Network and the various working groups and organs of the CEB in order to improve the workplace of the United Nations.

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## **ANNEX IV – STATEMENT BY FICSA**

### **Agenda item 2: Dialogue with FICSA, CCISUA and UNISERV**

FICSA would like to address several issues in its written presentation: follow-up from previous sessions, freedom of expression and whistle-blowing, security and safety of staff, UN Cares, support for staff representation and a few other human resources (HR) items under discussion at the International Civil Service Commission (ICSC).

### **Follow up from previous sessions: How to improve the dialogue between HLCM and the Federations**

**As you will recall at the 17<sup>th</sup> session, the HLCM suggested exploring various options to enhance our dialogue. No progress has been made so far, and FICSA would therefore like to request the establishment of a small working group to look at the options and to present its findings at the next HLCM.**

### **Freedom of expression and whistle-blowing**

Earlier this year, FICSA had the opportunity to work with the Government Accountability Project (GAP), a non-profit public interest group that promotes government and corporate accountability by advancing occupational free speech, defending whistleblowers. Whistle-blowing is defined as disclosing information that an employee reasonably believes is evidence of illegality, gross waste or fraud, gross mismanagement, abuse of power or a substantial and specific danger to public health and safety.

Blowing the whistle may include:

- (a) reporting wrongdoing or a violation of the law to the proper authorities
- (b) refusing to participate in workplace wrongdoing
- (c) testifying in a legal proceeding
- (d) leaking evidence of wrongdoing to the media.

Increasingly, FICSA is being asked to provide advice and assistance to staff members who lose their jobs or suffer other reprisals because they blow the whistle on perceived wrongdoing, oftentimes by a high-level staff member. One recent case involved an elected staff representative who was barred access to his building because he drew attention to an alleged violation of the Staff Regulations. There were no procedures in place for reporting alleged ethics violations, nor were there measures to protect the whistle-blower.

The Standards of Conduct for international civil servants call for protections for elected staff representatives against discriminatory or prejudicial treatment. These were neither implemented nor respected.

FICSA would like to call on all organizations to implement a whistleblower policy that includes protections for all staff who report ethics violations, and especially for elected staff representatives who are supposed to enjoy special protections. The policy should include punishment for the offender. Too often, those whose behavior or actions violate the Staff Regulations and Rules enjoy impunity and are moved elsewhere in the system with the hope that their actions will be quickly forgotten. This type of reaction to the violator implicitly condones reprisals for reporting violations.

Procedures should be clearly defined and confidential. Investigations should be carried out independently, quickly and confidentially and the findings shared with the whistleblower. Sanctions also need to be defined and those found guilty of unethical behavior should be sanctioned, and not transferred to another post.

The image of our organizations is closely linked to the behavior and conduct of staff, especially high level staff who are supposed to serve as role models. Instances of unethical conduct inevitably make their way into the media and besmirch the image of the international civil service. This, in turn, has a negative impact on public opinion, which



ultimately leads to a lack of respect for staff and for the mandate of the UN organizations. In some situations, this leads to increased risk and undermines staff security.

### **Security and safety of UN system staff**

FICSA participated fully and constructively in the meetings of the Steering Committee on Safety and Security, the Operational Working Group on the Strengthening of the UN Security Management System (UNSMS) and the Inter-Agency Security Management Network (IASMN).

Regarding the HR management issues related to safety and security, FICSA notes the current gaps in communications, training and capacity building, stress counseling, post-crisis rapid response capacity, review of the service incurred compensation, and arrangements for those left behind after the death of a staff member. The HR Network will reporting on those issues to this session of HLCM and FICSA would like to be present for the discussions as done in the previous sessions. These issues have very important implications for staff, and FICSA is amenable to working with the HR Network to obtain improvements in these areas.

FICSA has reviewed the proposals for improving security measures for national staff that were proposed by the HR Network. It is clear from the figures provided, notably in the tables in the comparative review of service-incurred compensation that more national staff members die in service than international staff. Thus, we can only conclude that measures to ensure their safety and security are urgently needed. **FICSA welcomes the efforts of the HR Network in this regard and would urge the organizations to act quickly to approve and implement the proposed measures for national staff. Moreover, FICSA would strongly urge the administrations to harmonize their treatment of staff, particularly during crisis situations.**

The security of national staff in particular has been a burning issue for many years now. In general, the security plan contains very few measures covering the security of locally recruited staff. Invariably during major crises, it is every person for him or herself. Once the internationally recruited staff and the locally recruited staff who are not nationals of the host country have departed, there is no one left to attend to the needs of the locally recruited staff who are nationals of the host country. This situation can have tragic consequences, as we have seen too often.

It is clear that this discrimination by the UN system raises serious human and moral concerns. In maintaining this practice, the UN systematically violates Article 7 of the Universal Declaration of Human Rights, which stipulates “All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against discrimination in violation of this Declaration and against any incitement to such discrimination”.

It is imperative that the UN no longer create the impression of an organization that applies double standards to the security of its staff and of being more concerned about protecting the lives of only one category of staff.

We would like to cite from a legal study prepared by Professor David Ruzié on the security of locally recruited staff<sup>2</sup>, particularly the following text on the right to functional protection.

“Functional protection requires that the international organizations show due diligence.

“It is not enough that the international civil servant who is the victim of a refusal of assistance or a deficiency in the protection provided enjoys the right of recourse to receive an indemnity from the organization for which he is working.

“Such recourse can only constitute a last resort, particularly when an international civil servant’s very existence is threatened due to the shortcomings of his employer.

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<sup>2</sup> Legal Study by Prof. David Ruzié on the security of locally recruited staff; FICSA/C/52/LEGAL/1, FICSA/C/52/FIELD/1.

“It is important to underline the fact that was brought out before the Sixth Committee of the UN General Assembly with regard to the Bernadotte case, ‘it can be that the protection provided by a State ...is not sufficient...Consequently, the United Nations should have the capability of taking provisional measures, while waiting for the interested State to act.’

“Since the League of Nations it has been admitted that the authority which exercises territorial competence has ‘special obligations’ towards agents of an international organization in the exercise of their functions.

“This obligation on the Host State covers not only acts attributable to agents of the State itself, but equally to threats emanating from individuals.

“On the basis of the right of functional protection, it is the responsibility of the organization, whose agent is threatened, to intervene with the Host State or to act as a substitute for it when it is incapable of doing so itself.”

On the related issue of the prohibition of any discrimination, Prof. Ruzié says the following:

“The particular provisions which generally exist concerning locally recruited staff constitute unquestionably discriminatory measures that fail to recognize the principle of equality of civil servants.

“Indeed, it is a result of concordant and constant jurisprudence from different international administrative jurisdictions, that if it is true that the right to equality of treatment which is imposed on the international organizations compels them to treat their civil servants in the same manner, when they are in identical situations, thus it must be that they are in the same situation both by fact and by law.

“But the organizations concerned would be unwise to try to justify this discriminatory situation of the right to security to the detriment of locally recruited international civil servants in comparison with those recruited internationally, precisely because of the difference in a situation of law: their recruitment on a local basis.

(...)

“However, with regard to the right to individual security, there is no reason to consider that, from the legal perspective and especially on the basis of implementing the protective measures foreseen, locally recruited staff do not merit the same care as internationally recruited staff.

“While this situation is contestable on a legal basis, it is equally shocking on a moral basis.

(...)

“It is true that the organizations have a tendency to deliberately confuse the legal aspects of the problem with the material aspects of its solution.

“And, occasionally, instead of seeking solutions, the organizations multiply the questions that can be raised.”

Given the extent of the improvements that are needed, administrations will need to work closely with their governing bodies to secure the necessary funding. For its part, FICSA will strongly promote the proposals when its representatives meet with Member States representatives during the UN General Assembly, and will drive home the urgency of making a commitment to fund these new measures.

To implement the policy on “how to stay”, we first need to ensure that **all staff** are secure and safe. The lives of our colleagues are priceless and should not be put at risk.

#### **ICSC issues:**

##### **1) Mandatory age of separation**

As agreed by the FICSA Council, the Federation advocated that the mandatory age of separation should be extended to 62 for all staff and that the option of extending service until age 65 should be available for all staff. FICSA considered that staff, who were employed before 1990 and perform well, should be able to choose to extend their service beyond age 62 and that the decision should not be solely at the discretion of the executive head. An extension beyond age 62 should not however affect entitlement to the full pension at age 62.

FICSA also supported phased-retirement programmes, whereby staff are able to reduce their working time prior to retirement. This type of programme would support succession planning by enabling experienced staff to work closely with their replacements. The extension of retirement age should not be seen however as a substitute for effective succession planning.

During the summer session of the HR Network, members of the Network and staff representatives held the same basic positions on most of the issues, with the exception of **the mandatory age of separation**. The HR Network could not reach a consensus at the beginning of the discussion because some of the HR representatives (mainly UNHCR, UNIDO and IFAD) strongly disagreed with possibility of letting staff decide themselves to extend their retirement age to 62. Those organizations preferred to leave the decision to the discretion of the executive head. FICSA was strongly opposed to that position, which leads to unfair treatment and discrimination. However, after a lengthy discussion, the HR Network decided that its position would be to extend the age of separation to age 62 for all staff without prejudice to the staff employed before 1990 and presented the following position at the 69<sup>th</sup> Session of the ICSC:

- “1. All current staff members’ age of separation will be at 62 by 1 January 2012.*
- “2. Those currently eligible to retire at 60 will retain that right with full retirement benefits or remain until the age of 62.”*

In addition, the HR Network agreed to review the possibility of raising the mandatory age of separation to 65 for all staff members once the Pension Fund has completed its actuarial study in 2010. Furthermore, the HR Network would also examine innovative and flexible modalities to mandatory age of separation such as phased/flexible retirement, part-time work and other approaches and would report to the ICSC by the end of 2010 with further proposals on this matter.

At the 69<sup>th</sup> session of the ICSC, most of the Commissioners were in agreement with increasing the mandatory age of separation to 62 for all staff and were against the discretionary clause for the executive head. The Commission requested its secretariat, in cooperation with the organizations and the Pension Fund, to prepare a comprehensive report on the possibility of changing the mandatory age of separation, taking account of its various implications in the human resources and pension areas, such as geographical distribution, rejuvenation of the workforce, career development, financial situation of the organizations, gender balance, and decided to revert to this issue at its 72<sup>nd</sup> session in 2011.

The delay is regrettable especially in view of the large number of staff due to retire within the next few years and the lack of succession planning in many organizations. It is essential that organizations strategize and plan for the future skills and talents that will be needed by the organizations.

## **2) Severance pay**

This was a long and tough discussion at the 69<sup>th</sup> session of the ICSC because several Commissioners did not favour creating a new entitlement and thus did not support the establishment of an end-of-service grant for staff who are on fixed-term contracts. After extensive discussion and closed meetings between the members of the Commission, a consensus was reached. The Commission agreed to implement an end-of-service grant for staff on fixed-term contracts after 10 years or more of continuous service. This new entitlement will be named ‘severance payment’.

FICSA welcomed the establishment of an end-of-service grant, which at present was used by only one common system organization. The end-of-service grant – to be granted on the successful completion of a contract that is then not renewed - is analogous to an unemployment benefit, which a staff member would have been entitled to had he or she been working in the home country. FICSA informed the Commission that approximately 75 per cent of total UN

system staff (based on the CEB statistics of 2007 and 2008) are now on fixed-term contracts and that continuing appointments cannot be given to staff anymore due to the limited budgets of each organization. The other question at issue was the number of years of continuous service to entitle a staff member to the grant.

While the ICSC secretariat had proposed that the entitlement to the end-of-service grant should begin at 9 years of continuous service, FICSA considered 9 years was too long, and that the grant should begin at 5 years of continuous service. The amount of the grant should be higher than the amounts proposed by the ICSC.

**However, the Commission after recognizing the need for this entitlement did not agree to reduce the years of service. The Commission therefore approved the establishment of an end-of-service grant for staff on fixed-term contracts after 10 years of continuous service.**

### **HR issues: UN Cares funding**

UN Cares is designed to reduce the impact of HIV in the UN workplace by supporting “universal access” to a comprehensive range of benefits for all UN personnel and their families. These benefits – known as the UN Cares 10 Minimum Standards – include among others information and education, voluntary counseling and testing, access to male and female condoms, and emergency prevention measures in case of accidental exposure. In 2008, the Secretary-General, Ban Ki-Moon, has stated “whatever our role in life, wherever we may live, in some way or another, we all live with HIV. We are all affected by it. We all need to take responsibility for the response”. FICSA urges you to “take your responsibility” and to invest in the UN staff. It is essential that the organizations commit funds to the UN Cares work plan and budget for 2010 – 2011, as endorsed by the HLCM in September 2008. **So far, only 39 per cent of the assessed funds for the next biennium has been reached.** Furthermore, a full investment in UN Cares would save to the UN approximately US\$ 57 million in the next 6 years, and help to sustain the organization’s capacity to continue its core work. We would like to thank the organizations already committed to this programme and take this opportunity to acknowledge all the current efforts, in particular the recent letter from the HLCM Chairman, Ms. Josette Sheeran. However, we regret to say that it is not enough. Together, let’s make the UN system a “model workplace when it comes to HIV” and meet the Secretary-General’s aim.

### **Support for staff representation**

We would like to continue with our policy of reporting briefly on our efforts to maintain a dialogue on staff/management relations with a view to strengthening and professionalizing staff representation. You may recall that this initiative began in the HLCM in 2002, with a request by FICSA for support to staff representation, primarily for participation in common system fora, through a cost-sharing arrangement. At your request, we took the issue to the HR Network. Discussions continued during various meetings of the HR Network but to date there haven’t been any concrete results.

For its part, FICSA continues to offer training for staff representatives worldwide, has published a Handbook on Staff Representation, participates constructively in all inter-agency meetings and provides comments on drafts sent to us by the ICSC. The Federation is pleased to report to you that it received positive feedback from one of the ICSC Commissioners who wrote to say “I think the staff representatives we have now are the most professional I have had the pleasure of working with since I have been on the Commission”.

Unfortunately, it is now crunch time for the Federation. FICSA has two urgent requests to address to you. The first concerns our need for an office in New York. FICSA maintains a small liaison office in New York with a part-time secretary. We have been paying commercial rates for the office, which we can no longer afford. Therefore, we respectfully ask that one of the New York based organizations kindly assisting in finding an office for us. We would be most grateful for your assistance. The lease on our liaison office ends on 31 October 2009. We are very grateful to UNDP and UNOPS for giving offices to us in the past.

The second urgent request concerns the refusal of the International Maritime Organization (IMO) to pay for the release of the FICSA General Secretary for one further year to complete her two-year mandate. According to an early CCAQ agreement on the release of FICSA officers, there was an ad hoc arrangement among CCAQ members to share the costs when an organization could not afford it. The HR Network however subsequently decided that each

individual organization should be responsible for funding the release of an elected FICSA officer. The cost to the IMO for the release of the General Secretary is approximately £40,000. FICSA would like to request the assistance of HLCM to find a satisfactory solution.

In closing, you will recall at the 17<sup>th</sup> session, the HLCM suggested exploring various options to enhance our dialogue. No progress has been made so far, and FICSA would therefore like to request the establishment of a small working group to look at the options and to present its findings at the next HLCM.

## **ANNEX V – STATEMENT BY UNISERV**

We thank you for the opportunity to address the HLCM. However, the United Nations International Civil Servants' Federation (UNISERV) regrets, once again, that the HLCM has allotted inadequate time to staff federations to present our views. We recall that although you welcomed ideas on making staff/management dialogue more meaningful, no progress has been made since the last session. Concerning time-release for Federations representatives, we will also like to know the progress made since the tentative agreement reached with the HR Network in June 2008

Today, UNISERV will use its time sparingly to address the following subjects: staff security, including national staff; national staff representation; staff-management relations; mandatory age of separation; end-of-service severance pay; new system of administration of justice; and staff mobility.

### **Staff Security**

Staff safety and security remains one, if not the most, challenging issues for the United Nations Common System, especially with regard to the local staff in field missions. With 88 percent of total casualties, national staff continue to pay the ultimate price in the service of the organizations, agencies, funds and programmes. It seems as if their safety and security is often an afterthought among those making decisions on safety and security. We call on the organizations to do their utmost in order to free the staff members abducted in Darfur 3 weeks ago as well as the staff detained in Sri Lanka. As for the Headquarters in New York, in spite of the lessons of Baghdad and in Algiers, it seems, for example, that a security risk assessment for the Capital Master Plan swing spaces has been dismissed. With knowledge of the damage inflicted by glass in Baghdad, it is unconscionable that the administration has relocated over 2000 staff into a glass building at Madison Avenue, which is not equipped with blast resistant films. That building is adjacent to a construction site and too close to the street where trucks are parked in front of the building throughout the entire day. We hope that these trucks will continue to deliver cement and nothing more. Madame Chair, the security risks at Madison Avenue, and other duty stations that do not readily come to mind, is palpable. The staff of the United Nations is not a disposable commodity and must not be treated as such.

### **National Staff**

UNISERV wishes to express its concerns over the feudal management style of some administrators in charge of the local or national staff, especially at offices away from headquarters. Their actions reflect badly on the United Nations and will, unfortunately, be part of its legacy. The United Nations and its agencies, funds and programmes cannot preach human rights, freedom of speech, and democracy when these basic rights are denied of our local staff and their representatives as they are, for example even as I speak, happening in MONUC. It is not enough that one of the core values of the United Nations is respect for diversity. We urge the HLCM to improve training and screening of administrators placed in charge of field missions. Those who think that being in charge of a mission is to manage a fiefdom should be dismissed. We further urge the HLCM to ensure that staff representation is fully respected.

### **Staff Management Relations**

Madame Chair, the most encouraging comment that we heard from one organization at the last HR Network session, was that a pending item at Staff-Management Coordination Committee (SMCC) was not negotiable. It was particularly heartening because it meant that other items on the SMCC agendas are negotiable. It is therefore urgent to rename the SMCC as Staff Management Negotiating Committee (SMNC) and change the terms of reference to reflect this spirit of negotiation. I can assure you that Staff Associations such as New York will be at the negotiating table.

### **Mandatory age of retirement in the UN system**

We are disappointed in the deferment of a decision on the issue of mandatory age of retirement. While we often speak about reform and adapting policies to meet the needs and challenges of our time, inertia still abounds. Rejuvenation has become another revered concept, but it can not be implemented for its own sake. It is clearly evident that the life expectancy has greatly improved during the last five decades and that average age at entry on duty

has risen, in part because of the educational credentials required to work for the United Nations. It is ironic that a staff member can be let go solely because he or she has reached the relatively young age of 60, while the decision makers at the ASG/USG level are sometimes as old as 90. Besides, being obliged to leave at 60 is not only at odds with policies in many Member States where the retirement age is at least 65 years, but it is also tantamount to age discrimination.

Madame Chair, seven out of eight staff entered the organization after 1990 and are already subject to the mandatory age of separation of 62. UNISERV maintains its position that the current mandatory age of separation is outdated and should be raised to 62 immediately for all staff. There should be a flexible or phased-out option to retire at the age of 65, as adopted in many European countries, without prejudice to acquired rights of staff desiring to retire at 60.

### **End-of-service severance pay**

UNISERV welcomes the introduction of end-of-service severance pay for staff on fixed-term contracts that will involuntarily separate from the UN Common System upon the expiration of their contract after ten or more years of continuous service. However, we object to the recommendations of the ICSC which leave the implementation of the payment at the discretion of the United Nations Secretariat and agencies, funds and programmes. There are too many loopholes exploitable by the Administration.

Madame Chair, under the new contractual arrangements, staff on fixed-term contract will be eligible for conversion to continuing contracts after five years. Therefore, the end-of-service payments should be payable after five years of continuous service to cover those staff members who are involuntarily separated from the UN Common System after five years. We urge the Administration to defend this proposal wholeheartedly before the Fifth Committee.

### **Administration of justice**

The Office of Staff Legal Assistance is not providing legal assistance that the staff envisioned and expected. Legal assistance is still being provided by volunteers. We urge the HLCM to advocate for the effective representation of staff by qualified and competitive attorneys in the new system of administration of justice. Some unions in our federation are considering hiring attorneys to represent the staff during this critical precedent-setting period.

### **Mobility**

In resolution 63/250 section VII para.6, the General Assembly indicated that mobility is to be voluntary. In the JIU report JIU/REP/2006/7 paragraph 52, the inspectors were convinced that the present policy is "mandatory". In our opinion, the Secretary-General's proposal to require that staff serve at hardship duty stations before they are eligible for promotion to the P-5 and D-1 levels is in contravention of the referenced GA resolution. It is also discriminatory especially towards women, persons with disabilities and older serving staff; only those without direct family responsibility (the younger or older) would be more apt to relocate. The mobility policy is also replete with exceptions, which renders it inoperable. UNISERV favors common guideline and mechanism for mobility across the UN common system.

Madame Chair, there are fewer women compared to men at the upper echelon of the United Nations and its agencies, funds and programmes. Yet here we are considering a policy that asks women currently in the service of the Organization at the P4/P5 level to make a choice between a family and a career stint at a hardship duty station. The Secretary-General's proposal regarding mobility is at odds with work-life balance, which is supposed to be a pillar of this Organization. This policy also does not consider the cultural, religious and security issues that are particularly applicable to women. It would be difficult to retain women if the proposed policy is implemented.

Madame Chair, other organizations, such as the European Commission, have opted for a voluntary approach to mobility for their staff. There are, perhaps, some lessons that could be learned from their success.

**In conclusion**

The United Nations Secretariat is being driven more and more by peacekeeping operations and less and less by a wide range of objectives, including development.

In order to participate in a peacekeeping mission for an extended period of time, the staff in General Service and related categories must first resign and hope to be selected for a PKO position. This is one example that the long-hoped-for reforms are being misrepresented and miscarried in a guise that began with the so-called “harmonization of conditions of service” but has since morphed into a “one UN” or “serving as one” without due regard to the variations in funding and mandates.

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