

MONITORING

As discussed at the beginning of this subsection on OHRM mismanagement, for the first half-century of its operations, the UN was noticeable for a slow, careless, very bureaucratic and rather easily-manipulated personnel service. It was and perhaps still is gravely lacking in the elements of a modern personnel system (as has now been discussed in the immediately-preceding subsections) and had been consistently and severely criticized by top management, staff, member states, and outsiders for decades without any real change taking place, other than adding the "human resources management" title.

The Thornburgh report of 1993 was particularly succinct in describing its failings and negative impact:

"Current problems in what you have correctly identified as 'the present outmoded system of personnel management' constitute a major stumbling block to true reform within the Organization.

Defects exist in nearly every aspect of present personnel practice. Recruitment has been undertaken on a more or less haphazard basis and consumes an inordinate amount of time. Training programmes are insufficient. Promotion exercises have become inordinately complicated to the point of being nearly unworkable ... Discipline and dismissal procedures are encumbered by seemingly interminable appeals processes.

The result is too much 'deadwood' doing too little work and too few good staff members doing too much, over-extending themselves sometimes to the point where they have become counter-productive."

Dick Thornburgh, Under-Secretary-General for Administration and Management, "Report to the Secretary-General of the United Nations," **1 March 1993**, pp. 8-9.

In response to such criticisms and the General Assembly's pivotal insistence on a new system of management accountability, the Secretariat had no alternative but to offer a clear (for the UN) *mea culpa*:

"[This report] outlines a strategy to modernize and re-energize human resources management in the [UN Secretariat] ...

[While the UN's role and mandates have expanded], commensurate changes and modernization in human resources management have not occurred. As a result, [such] management has been fragmented, bureaucratic and incapable of dealing expeditiously with ever-changing demands ... The Office of Human Resources Management [hereinafter "OHRM"] ... has been largely unable to address properly [its essential] planning and management functions. ... [This in turn has] partially contributed to the slow deployment of field missions, inadequate people management, low staff morale, and insufficient mobility. Thus, the time is overdue ... to introduce changes to maximize the

contribution of [UN] human resources."

"A strategy for the management of the human resources of the Organization: Revised estimates ...: Report of the Secretary-General ", UN document A/C.5/49/5 of **21 October 1994**, paras. 1 and 23.

Even more dramatically, the Secretary-General went on to firmly declare his commitment to drastic and critical changes:

"... [UN staff and managers' capacity and expertise at all levels] must correspond to the responsibility assigned and authority delegated and must be balanced by full accountability through appropriate accountability mechanisms. An efficient organizational oversight machinery will monitor the operation of the system and conduct audits, inspections, evaluations and investigations ... The systematic control of the interrelated processes ... will provide the key to success ... and contribute to the Organization's effectiveness and efficiency.

"In the establishment of [the new system one must consider the difficulties involved] ... in particular the need to change attitudes and established and well-entrenched bureaucratic habits. ... the Organization must transform itself. In so doing, the utmost care should be taken to develop a real 'management culture', to put measures in place that will encourage improved performance and higher levels of productivity and ensure quality work. ... In short, the objective should be the creation of a mission-driven and result-oriented Organization..."

"Establishment of a transparent and effective system of accountability and responsibility: Report of the Secretary-General", UN document A/C.5/49/1 of **5 August 1994**, paras. 12 and 109. [emphasis added]

Thus began the attempt to magically, and swiftly, convert a very mature and stubborn frog (namely "the OHRM") into an accountability prince, which would guide the UN's "most precious resource," its staff, into a turbulent 21st century. Almost immediately, there were doubts from long-time observers, as expressed by the *International Documents Review*:

"A strategy was presented to the General Assembly in a document of atrociously low quality, even by UN standards. The writing is crusty with jargon, repetitive, and structured like a multi-jointed creature out of Dr. Seuss. ...

It makes the rather startling revelation that [OHRM] does not have a planning component. It does not explain why this is so, or how the Office has managed to operate for nearly five decades without planning its activities. As if enunciating a new discovery, the report says that 'Planning is essential ...' [Its] absence ... has contributed significantly to current OHRM management weaknesses. ...'

[The report then states that] 'It is intended that [UN] senior management be involved in the planning process and party to all important decision-making relating to human resources planning and change.' (Traditionally, senior management has considered OHRM a generally unnecessary encumbrance, to be called into action only to fend off unsuitable offerings of personnel from pushy ambassadors. Its powers of locating competent staff for recruitment are held in such low esteem that no senior manager in his right mind would initiate a request without having someone already identified, or even on board as a consultant or short-term contract employee.)"

"Strategy to improve UN staff management and quality explained in atrociously written report," *International Documents Review* (New York), **7 November 1994**, pp. 4-5.

The Secretariat manfully declared its determination in 1996 to carry through in its new forceful role:

"The Secretary-General's Strategy for modernizing the management of the Organization's human resources ... has been the corner stone on which the Secretariat has worked to build a performance-driven, service-oriented culture and supportive work environment that encourages improved managerial skills, increased managerial responsibility and effectiveness through increased delegated authority, responsibility and accountability as well as optimal individual staff performance and, thereby, improved organizational performance."

"Implementation of the strategy for the management of the Organization's human resources: Report of the Secretary-General", UN document A/C.5/51/1 of 16 August 1996, Summary.

But the early results were not encouraging. In April 1997 the General Assembly reaffirmed that the UN staff was an "invaluable asset" and recalled the integrated strategy for human resources management. However, it then regretted "with deep concern" that further progress in implementing the strategy had not been achieved and that efforts to develop a management culture had been "unsuccessful." It therefore called on the Secretary-General to fully implement the strategy:

II. Reaffirming its resolution 48/218A of 23 December 1993, in particular the request therein for a mechanism ensuring that programme managers are accountable for the effective management of human resources allocated to them,

Reiterating the authority and responsibility of the [OHRM] of the Secretariat to enforce recruitment, placement and promotion policies throughout the Secretariat;

...

1. Recognizes the role of the [OHRM] as the primary representative of the Secretary-General in establishing human resources policies and guidelines, and strongly requests the Secretary-General to maintain its central policy authority,

2. Requests the Secretary-General to enhance managerial accountability with respect to human resources management decisions, including imposing sanctions in cases of demonstrated mismanagement of staff and willful neglect of or disregard for established rules and procedures, while safeguarding the due process rights of all staff members, including managers;

3. Also **requests the Secretary-General** to issue specific administrative instructions **to establish clearly the responsibility and accountability of programme managers for proper use of human resources, as well as sanctions** in accordance with staff rule 112.3 for any financial loss suffered by the United Nations as a result of gross negligence, including improper motivation, willful violation of or reckless disregard for the staff Regulations and Rules and established policies regulating recruitment, placement and promotion;

4. **Deplores the high number of exceptions to the established procedures for the recruitment, placement, and promotion of staff, in particular in the Office of Human Resources Management,** ...

6. Welcomes the intention of the Secretary-General to streamline administrative procedures and eliminate duplication, in relation to human resources management, through delegation of authority to programme managers, and requests him to ensure, before delegating such authority, that well-designed mechanisms of accountability, including the necessary internal monitoring and control procedures, as well as training, are put in place, and to report to the General Assembly at its fifth-third session; ..."

"Human resources management", General Assembly resolution 51/226 of **25 April 1997**, Part I, paras. 2-4, Part II, 1st and 3d preambular paras., and paras. 1-4, and 6. [emphasis added.]

[Note: item 4. above is obviously very disturbing. When the General Assembly itself must publicly deplore the aggressive application of the notorious personnel "exceptions" by the personnel office itself, what hope can there be that that office can effectively serve as the guardian and enforcer "of personnel policies throughout the Secretariat," and prevent -- rather than practice -- the corruption of personnel processes?]

In the next two years, the delegation of authority from OHRM to managers throughout the Secretariat continued apace, while accountability reform implementation lagged (although with promises that the process might be accomplished by 2003.) In late 1999 the General Assembly reaffirmed its own determination to thoroughly analyse and approve posts, financial resources, and human resources policy implementation. It also repeated that:

"the [OHRM] shall remain the central authority for the monitoring and approval of the recruitment and placement of staff and for the interpretation of the regulations and rules of the Organization and their enforcement."

"Human resources management," General Assembly resolution 53/221 of **23 April 1999**, Section I, "Principles," and Section II "Role of the [OHRM]," paras. 1 and 2. [emphasis added]

Even more decisively, this General Assembly resolution repeated its admonition that no comprehensive system of accountability and responsibility had been established, and also repeated its request for sanctions for demonstrated mismanagement of staff and disregard for rules and procedures. It then stated that it:

"Emphasizes that any delegation of authority should be in accordance with the Charter and regulations and rules of the Organization and should entail clear lines of authority and accountability as well as improvement in the administration of justice, taking into account the central role played by the [OHRM] in setting the policies and guidelines in respect of the human resources management of the Organization and monitoring their observance and implementation."

"Human resources management," General Assembly resolution 53/221 of **23 April 1999**, Section IV, "Delegation of authority and accountability," esp. paras. 8 and 10. [emphasis added]

The Secretary-General's report on human resources management reform in August 2000 stated that the OHRM would undergo major changes in its role and functions. In principle, all day-to-day personnel administration would be undertaken by the departments, and a shift to electronic processing would also "enhance the Office's capacity to monitor and report." OHRM would henceforth concentrate on developing policy, providing guidance (upon request) to programme managers on difficult

issues, and providing more professional human resources services. Buried among these activities was vague talk of monitoring functions, but no mention whatsoever of sanctions or enforcement in cases where managers were abusive or violated rules and procedures.

"Human resources management reform: Report of the Secretary-General," UN document A/55/253 of **1 August 2000**, section III, "Role of the [OHRM]", paras. 76-79.

In the same report, the Secretary-General noted that "considerable concern" had been expressed about programme managers taking over direct recruitment decision-making on their staff, and agreed that specific accountability mechanisms would be critical. In case of any problems found by newly-structured central review bodies, they would be swiftly considered, and OHRM or the Department of Management would act as the "final decision makers in case of dissension between programme managers and the central review body."

"Human resources management reform: Report of the Secretary-General", A/55/253 of **1 August 2000**, paras. 33-37 and Annex II, paras. 1-8, 25.

[Note: This careful phrasing implies only a rather delicate and potential OHRM role of applying sanctions to enforce the rules.]

In response to the Secretary-General's report, a General Assembly resolution in June 2001 reaffirmed for the third time its concerns with well-designed mechanisms of accountability. It also added some new fundamental cautions that are rather unusual (and would not seem necessary) for an organization that had already been operating for 55 years:

- "VII.2 Emphasizes that the administrative and managerial discretionary powers of the Secretary-General should be in conformity with the relevant provisions of the Charter;
3. Reiterates that every staff member ... shall be responsible and accountable to the Secretary General, in accordance with financial rule 114.1 and staff 112.3;
4. Emphasizes that any delegation of authority should be in accordance with the Charter and the regulations and rules ...;
5. Stresses that rules and regulations governing separation from service shall be followed strictly;
7. Requests the Secretary-General to continue to improve accountability and responsibility ... and monitoring and control mechanisms ... and report on the implementation of his proposals [in 2002] ...
8. Report ... [in 2002] on the progress achieved, including with regard to management irregularities; ...
10. Decides to further consider the issue of a robust monitoring capacity in the Office of Human Resources Management for the monitoring of all relevant activities in the Secretariat, regardless of the source of their funding, and requests the Secretary-General to provide an analytical and thorough report thereon [in 2001]. "

"Human resources management," General Assembly resolution 55/258 of **14 June 2001**, "Section VII., Delegation of authority and accountability."
[emphasis added]

In his 2002 report, Mr. Annan assured the General Assembly, with regard to all the above concerns, that the Secretariat was making "every effort" to ensure accountability in the reforms underway, and was "further enhancing" OHRM's monitoring capacity, as part of his plan for "a comprehensive and integrated monitoring capacity" in OHRM, as explained in his separate report to the Assembly.

"Human resources management reform: Report of the Secretary-General, UN document A/57/293 of **8 August 2002**, paras. 87-89.

The "detailed report" of the Secretary-General on OHRM monitoring capacity, after all the reminders from the General Assembly, was still quite tentative. After giving some definitions, principles, and an overview of various monitoring mechanisms in place, he then switched to a discussion of building a more comprehensive system, within OHRM, with departments, and within departments, all in terms of a set of "will be's."

OHRM would develop a series of methodological actions: tracking all areas of human resources management, especially delegation of authority, and with periodic reviews; setting and monitoring standards, norms, and targets; and then [rather weakly] making "recommendations" to managers to help ensure their compliance, and identify remedial action where "lapses have occurred." Further mechanisms and tools "under development" will include reporting tools, review missions, focal points, providing monitoring tools, and consultations.

All the human resources initiatives were being developed concurrently, so for monitoring as well the Secretary-General said he would take a "phased approach" to implementation. His report concluded in painfully conditional UN-speak that his intention was to continue current monitoring activities (within the constraints of available resources):

"... so as to develop organizational capacity to fully meet the goal of achieving the comprehensive approach for monitoring."

"Monitoring capacity in the [OHRM]; Report of the Secretary-General," UN document A/57/276 of **17 September 2002**, pp. 8-11.

The OHRM "comprehensive monitoring" role has remained a moving target, a work still very much "under construction." The General Assembly endorsed this "more robust" capacity effort in May 2003 and dutifully emphasized its need for further development. As always, the intentions were good, but the implementation a sometime thing. However, complex matters -- such as the grand worldwide mobility initiative -- loom ominously on the horizon. Is the often-criticized OHRM really ready to be

the firm monitor and enforcer of UN staff rules and regulations and procedures as required by the General Assembly?

A key General Assembly resolution, 57/305 of 2003, on human resources management, began by reaffirming its principles concerning human resources management and the OHRM role therein, and stating that it:

"requests the Secretary-General to ensure that United Nations staff members adhere fully to the United Nations code of conduct as approved ... in conformity with paragraph 1.2 of the [UN staff regulations] and ... the principle [of its resolution 53/221] ... concerning the integrity and independence of the international civil service.

... endorses the [Secretary-General's approach] ... to developing a more robust monitoring capacity in the [OHRM and];

Emphasizes the importance of the monitoring of policies, guidelines, and practices by [the OHRM] ... and requests ... a report thereon"

"Human resources management," General Assembly resolution 57/305 of **1 May 2003**, Sections I and IV.

The resulting report, in August 2004, was an "activities" report resembling the one of 2002. It spoke of developing a methodology, tools and instruments, a comprehensive programme of implementation, and the "progressive creation" of a specialized capacity in OHRM and departments and offices. Some on-site monitoring missions and ongoing support had begun to advise and guide, interpret rules, review and approve exceptions, resolve conflicts, identify training needs, and identify "trends, oversights or deviations from established rules for purposes of correction, and the implementation of measures to avoid their recurrence."

"Human resources management reform: Report of the Secretary-General", UN document A/59/263 of **13 August 2004**, paras. 161-164.

OHRM concluded that (seemingly as always) it was too early to assess monitoring impact, but reported a few successes such as reducing delays in processing education grant claims, or "sensitizing" offices on good management practice and accountability. It also stated that

"While OHRM approaches monitoring as a partner-based endeavour, experience has shown that building trust and partnership with departments needs further and sustained effort."

"Human resources management reform: Report of the Secretary-General", UN document A/59/263 of **13 August 2004**, paras. 161-171.

While OHRM continues on with its "velvet revolution" of building trust with managers, growing staff concern with an evident lack of accountability in practice was noted not only by the Integrity Survey of June 2004 discussed in the introduction to this OHRM section, but in a telling comment from a staff

representative in a statement to the General Assembly's Fifth (Administrative) Committee.

"Rosemarie Waters, President of the United Nations Staff Union, said that the measures introduced in the past six years had had a profound and sometimes deleterious effect on the staff of the Organization. ... management had been reforming itself and increasing management authority, while reducing accountability. The Staff Union had the greatest respect for the Secretary-General's vision for the Organization and had supported the goals of his reform programme. It could not, however, support the erosion of staff rights and dissolution of oversight mechanisms as a means of implementation, and it could not continue legitimizing actions in which staff, through their elected representatives, had no meaningful role to play. ...

*The organization had yet to establish concrete measures for individual accountability, she continued. It was essential that areas with expanded delegation of authority for personnel decisions ... should be carefully examined, and, if abuses were found, such delegation should be revoked. **The ... [OHRM] had informed staff representatives of its inability to enforce accountability because they lacked central authority. The Fifth Committee may wish to recommend that concrete individual accountability be developed, in consultation with staff representatives, on a priority basis.***

"UN staff committee representatives tell budget committee concerns ignored in management reform report", Fifth Committee, Press Release GA/AB/3641 of 29 October 2004, pp. 2-3. [emphasis added]

OHRM thus excused its inaction to UN staff representatives by stating that it does not have "central authority" to enforce accountability where serious allegations of mismanagement and abuse have been made. It took this position despite the Fifth Committee's repeated and express mandates in its resolutions 51/226, 53/221, and 57/305 (discussed above) , especially that **the Secretary-General ensure that United Nations staff members adhere fully to the United Nations code of conduct as approved.**

This non-implementation stance rings true to many UN staff who have sought and failed to obtain OHRM intervention in many cases of serious UN management problems. The UN's personnel offices have many competent mid- and lower-level staff who do their best and are always as helpful as possible in responding to staff problems and concerns. But the OHRM leadership, in the past and -- it clearly seems -- at present are far more interested in close and supportive relationships with the managers than in fulfilling their express duty to enforce proper accountability and conduct throughout the Secretariat.

So much for the rule of law within the UN in the new millennium. IO Watch concludes that the top UN leadership, the Department of Management, the Office of Legal Affairs, the General Assembly, and even the OIOS all defer to the OHRM to enforce accountability, but that office excuses itself from this responsibility while boasting of grand methodologies and tools

(processes, not implementation actions) that it is developing for this purpose. The UN foxes (senior management) are in total control of the chicken coop, with mounting problems for basic UN accountability, credibility, staff morale, and performance.

In May 2005, pressed by the Iraq oil-for-food programme revelations and other crises, the Secretariat released a new management reform document for "real action now" and immediate reform, "particularly in the critical areas of management, oversight and accountability." It further stated that

'Perhaps the most obvious shortcomings identified by the Volcker Inquiry and other crises are in the area of oversight and accountability. **The current 'control' systems for monitoring management performance and preventing fraud and corruption are insufficient and must be significantly enhanced**', the [Deputy Secretary-General said."

"Fréchette unveils UN reforms responding to Volcker panel's criticisms", UN News Service, 17 May 2005,

Despite the repeated General Assembly attention to, and calls for, a strong monitoring capacity in OHRM, the Secretariat apparently now also admits OHRM ineptitude in handling this responsibility. The reform plan did not mention OHRM at all, but did create a new body:

"In order to ensure a rigorous monitoring of individual offices and managers, a Management Performance Board (MPB) has been created. It will systematically assess the performance of senior managers, bring to the Secretary-General's attention instances which require his attention and advise him on suggested corrective action, where necessary.

Status: ... The Deputy Secretary-General will chair the Board and comprise two sitting Under-Secretaries-General and one former senior official. The heads of the Department of Management and the [OIOS] will serve as ex officio members. The first meeting will be convened before the end of June."

"UN management reforms 2005: Management reform measures to strengthen accountability, ethical conduct and management performance", May 17, 2005, pp. 2-3, available at www.un.org/reform_update.html.

Unfortunately, the "new" solution -- establishing a very high-level committee of senior officials to "systematically" provide "rigorous monitoring" throughout the Secretariat -- is quite probably no real answer either. This step is an old ploy used over and over by Secretariat top management. The history of UN reform is littered with many such committees, to show the earnest intent of the "old boys" to roll up their sleeves, take charge, and fix the current mess. But in fact such committees subsequently do not seem to meet much, do not produce any notable results, and are eventually replaced by still other such committees as the newest management crisis-and-response cycle begins.

IO Watch will monitor these monitoring developments with interest, to see if this impressive new Management Performance Board actually produces any significant and tangible results and reports on them transparently. More likely, it will remain just another "cosmetic" reform to calm the critics and wait until "things blow over". At least this time, however, the Secretariat has had to admit its present grave inadequacies in monitoring management performance and preventing fraud and corruption, and thereby confirm the failure of its cosmetic reform efforts over the past decade.