

EXPERT PERSONNEL REVIEWS

The UN Charter states as its central provision relating to staffing matters:

"Article 101.

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly. ...

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible."

Charter of the United Nations, **1945**, initial phrases, and Articles 97, 100, and 101. [emphasis added]

The essence of the age-old UN staffing problem is highlighted by the two sentences of paragraph 3 above. The UN is clearly to employ people who embody the "highest standards" of efficiency, competence and integrity. But at the same time it wants representation from all of its 191 countries. Over the years, the second requirement has been constantly used by governments for their own purposes, with tacit acceptance by the Secretariat, and thus seriously undermines the first. This archive has discussed this problem at length, in the archive subsections on Personnel , The Winner, "Free the Managers" , OHR (Mis-)management , and Management culture deterioration .

Secretary-General Annan has attempted to modernize the Secretariat during his eight years at the helm by "opening up" staffing processes and getting rid of red tape to achieve a more dynamic UN. Most recently, he has launched further significant initiatives for greater management freedom to hire and promote, major new mobility processes to move staff around the globe, and newer and more flexible contractual arrangements for the international civil service.

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

As Mr. Annan asserted further, in his "agenda for further change" of 2002:

"Improving management was the priority of my first term. I have put great emphasis on establishing clear lines of responsibility and ensuring that managers are

held accountable for their actions. ... **I am confident that the new system** of recruitment, by giving managers primary responsibility for staff selection, **will lead to a new level of accountability and empowerment.**

I intend to adopt additional measures to cut unnecessary layers of bureaucracy. At present, **the Organization recruits highly qualified individuals for management functions -- yet its procedures do not allow them to manage ...**

As decision-making is devolved to programme managers, *the roles and responsibilities of the central service provider*, the Department of Management [note: including OHRM], and those of the executive offices in each of the departments, **will need to be reviewed.**"

"Strengthening of the United Nations: An agenda for further change: Report of the Secretary-General, UN document A/57/387 of 9 September 2002, paras. 188-190. [emphasis added.]

The problem with these statements is that they do not ensure accountability, but only assure or intend that "things will be taken care of." As stated everywhere with regard to law and accountability, things must be done, and be seen to be done. Yet in the UN Secretariat, there has never really been, and is not now, any clear mechanism to independently and transparently ensure management accountability. This point is underscored by the statement above that the roles of the service providers, DM and OHRM, "will need to be reviewed", i.e. were in a state of flux. Thus, there is still no clear and specific mechanism for "securing the highest standards" of staff and performance as required by the UN Charter, at a time when UN managers are being given more and more freedom.

The personnel reforms have forged ahead, but there is no evidence that the underlying situation of careless staff selection and promotion has changed from that noted by Theodor Meron in 1975:

"Some members of the [UN] staff have great ability and commitment but they support a great many parasitic 'deadwood' employees and employees serving primarily the political interests of their government. ... **The principle of merit can in the long run be protected only by fair and objective procedures and safeguards, which are subject to law and to effective grievance procedures.** But ... should the present trends continue ... the staff would probably be suspected of lacking neutrality and might lose the confidence of some Member States. The result might be paralysis of the Secretariat, which would be unable to play an effective role in situations of crisis."

Theodor Meron, *The United Nations Secretariat: The Rules and the Practice*, Chapter 4, "Selected legal questions", D.C. Heath, Lexington, Mass., 1977, pp. 83-84. [emphasis added.]

[Note: Mr. Meron is a former delegate to the UN, international law professor at New York University, and currently serves as president of the UN tribunal for the former Yugoslavia.]

The point was repeated by two senior UN veterans in 1985:

"For its friends, of which we are two, the problem [at the UN's 40th anniversary is]

that it is not particularly effective in averting conflict or fighting poverty, [nor ready to reverse] these trends, let alone its own genteel deterioration.

[Among other things], the Secretary-General must have the basic authority to manage his own organization; to hire and fire according to the highest professional standards and thereby provide overall tone and leadership to the system. There must also be a higher caliber of appointments at the top. There is nothing wrong with political appointments if appointees have a distinguished and relevant career record. But governments have too often considered comfortable United Nations sinecures a dumping ground for mediocre diplomats. A board of independent, eminent people should be constituted to establish the desirable qualifications for each senior vacancy as it comes up. If individual governments still insist on sending poorly qualified time-servers, at least their actions would be recognized for what they are."

Sadrudin Aga Khan and Maurice F. Strong, "Proposals to reform the U.N., 'limping' in its 40th year, New York Times, **October 8, 1985**.
[emphasis added.]

The importance of distinguishing between the competent and the incompetent staff for UN productivity was also emphasized in the 1993 Thornburgh report to Secretary-General Butros-Ghali.

"Nearly everyone of my senior management colleagues in the Secretariat and many staff members as well have complained about the 'deadwood' problem. While present practices dictate that nearly all terminated employees should receive a substantial cash payment, the aggregate cost of keeping unqualified, incompetent or non-productive staff members in place far exceeds, in my view, whatever termination expenditures might be necessary to 'clean up' the Organization. Managers simply must be permitted to terminate those not measuring up to 'the highest standards of [efficiency, competence and] integrity' contemplated by the [UN] Charter. ...

Therefore, I suggest that you make it clear that your commitment not to terminate staff whose posts are affected by the restructuring will not protect those staff members who, for reasons unrelated to the restructuring, are simply not performing adequately. ...

These steps, together with others herein recommended, would have a positive effect on the morale of that vast majority of dedicated staff members remaining on the job as well as on the productivity of the Organization as a whole."

Dick Thornburgh, Under-Secretary-General for Administration and Management, "Report to the Secretary-General of the United Nations" ["The Thornburgh report"], **1 March 1993**, pp. 9-10.

Recognizing the continuing problems of poorly chosen (and retained) staff, Childers and Urquhart proposed a drastic remedy in 1994:

"The issue of 'deadwood and mediocrity':

Constant talk about 'deadwood', 'mediocrity', 'bloated bureaucracy,' etc., does not promote optimism about any significant improvement. What is desperately needed is serious work on the problems. The General Assembly should request the Secretary-General to organize an independent commission of internationally respected civil-service and recruitment specialists. It must be so composed as to enjoy the trust and cooperation of staff associations as well as of the member-governments. It should carry out a thorough screening of the actual competence for their designated posts of officials at mid-professional and above grades. Such a process alone would reliably establish how many existing staff actually have a useful function in UN service. Responsibility for the costs of the termination of those who do not must be shared by

member-governments.

Sweeping talk of 'mediocrity' is unprofessional and misleading. The potential of a significant number of staff is simply not known because of poor job assignment, indifferent supervisors (themselves inadequately supervised by poorly chosen department heads), and the lamentable paucity of in-service training and retraining. **The real extent of irredeemable 'mediocrity' can only be identified by proper, independent screening.**"

Erskine Childers, with Brian Urquhart, in Chapter X, "The international civil service", in "Renewing the United Nations System", Development Dialogue, 1994:1, Dag Hammarskjold Foundation, Uppsala, Sweden, 1994, p. 165.
[emphasis added.]

This dramatic effort to firmly purge the system of its weak managers has never yet been taken, but the problem very much continues on in the new millennium, as shown in a key quote from the "Brahimi report" on peacekeeping problems in 2000:

"Challenges to implementation

... No amount of money or resources can substitute for the significant changes that are urgently needed in the culture of the Organization.

... People everywhere are fully entitled to consider that [the United Nations] is their organization, and as such to pass judgement on its activities and the people who serve in it.

Furthermore, wide disparities in staff quality exist and those in the system are the first to acknowledge it; better performers are given unreasonable workloads to compensate for those who are less capable. Unless the United Nations takes steps to become a true meritocracy, it will not be able to reverse the alarming trend of qualified personnel, the young among them in particular, leaving the Organization. Moreover, qualified people will have no incentive to join it. **Unless** managers at all levels, beginning with **the Secretary-General and his senior staff, seriously address this problem on a priority basis, reward excellence and remove incompetence, additional resources will be wasted and lasting reform will become impossible.**"

Report of the Panel on United Nations Peace Operations [the "Brahimi report"], UN document A/55/305 -- S/2000/809 of **August 21 2000**, p. xiv.
[emphasis added.]

The "free the managers" efforts of the past decade have not provided any such independent and credible mechanism for convincingly demonstrating that Mr. Annan's assertions about ensuring accountability, moving to "new levels" of that accountability, and "recruiting highly-qualified" managers are valid, most especially for removing incompetence. There are, however, tools available for providing an independent check on staffing processes in the Secretariat -- modest "quality control" as it were -- which could confirm or deny the true extent of "irredeemable mediocrity" (and unfairness, and improper selection), or of "high-quality" in the UN Secretariat management ranks.

IO Watch will be seeking out further examples of this independent scrutiny process, which seems to be routine in at

least some national civil services. For the moment, only two will be noted, the first being the application of such a review in UNESCO in 1999 and 2000:

"Last November the 188 [UNESCO] member states named Mr. [Koichiro] Matsuura to the director-generalship. ...

Widely expected to be a cautious and bureaucratic manager, the new director-general entered office confronting what amounted to a challenge from his predecessor, Frederico Mayor of Spain, who had made 71 promotions and high appointments during the final days of his term.

Mr. Matsuura suspended them all. He also refused to renew 23 temporary individual consulting contracts about to expire. According to an independent Canadian audit of the organization, up to 40 percent of UNESCO staff appointments and promotions during recent years have failed to meet the organization's own criteria."

William Pfaff, "A reformer from Japan straightens out UNESCO", International Herald Tribune, October 6, 2000. [emphasis added.]

A specific statement of the duties of experts who serve as independent "auditors" for personnel processes was provided in an advertisement, in *The Economist*, for new Commissioners in the United Kingdom in 2000:

"Appointment of Commissioners

Circa £12k pa 2-8 days a month

As part of the Modernising Government reforms, the Civil Service is seeking to be more outward facing ...

The Civil Service Commissioners have a key role to play in these reforms. The Commissioners -- who are appointed directly by HM The Queen, are not civil servants and are independent of Ministers -- [they] have the legal responsibility of ensuring that appointments to the Civil Service -- at all levels -- are made solely on merit on the basis of fair and open competition, which is a cornerstone of a professional, permanent and apolitical Service. ... They also uphold the arrangements for whistle blowing by civil servants set out in the Civil Service Code.

Commissioners chair competitions for recruitment to the Senior Civil Service and contribute in monthly Commissioners' meetings to the development of policy and practice: they may also audit a Department's junior or middle-level recruitment procedures or hear appeals under the Civil Service Code.

Commissioners are people with track records of distinguished achievement in diverse fields ... Candidates must have significant experience in making senior appointments and a commitment to good practice, selection on merit and equal opportunities."

"Executive focus", The Economist, November 4th, 2000. [emphasis added.]

For almost six decades the United Nations has failed to firmly implement the UN Charter's call for the "highest standards" in staffing matters. IO Watch concludes that establishing such a small group of independent experts could, at modest cost, help achieve:

-- the fundamental principles stated by Meron, Childers and the Brahimi report regarding merit, fairness, objectivity, law, and safeguards ;

-- the UN duty (for its own credibility's sake) to meet the labor and human rights standards it advocates in the UN Global Compact for multinational corporations;

-- transparently and clear processes for the public to judge (as eloquently stated by the Brahimi report) that the UN does indeed hire and reward top-flight people;

-- much needed assurance that any increase in UN salaries is justified by the quality of staff performance demanded;

-- the "missing link" of a firm accountability mechanism for management staffing matters and decisions which has always been missing; and

-- real legitimacy to allow the UN to properly claim adherence to "best practices" in human resources management, rather than the past few practices at all (but oh, so much rhetoric.).

This small group could be located in, or at least have as its supportive unit, the office of a new, modestly-sized but robust UN Human rights ombudsman, as discussed under the major archive section on Where is the Rule of Law?