



**FIFTH COMMITTEE OF THE UN GENERAL ASSEMBLY 68TH SESSION
INTRODUCTION OF JIU REPORT ON "REVIEW OF INDIVIDUAL
CONSULTANCIES IN THE UNITED NATIONS SYSTEM" (A/68/67) BY
INSPECTOR CIHAN TERZI**

(New York 21-22 October 2013)

Dear Chairman, Distinguished Delegates of the Fifth Committee,

The JIU report on individual consultancies provides an assessment of the use of consultancy in the UN system organizations. In order to use effectively the limited time allocated to me I'd like to highlight for your attention a few important issues identified in the report. While the report focuses on consultancy, some issues identified in the report are valid for all non-staff personnel.

Non-staff personnel including consultants are becoming an important part of the workforce of the organizations. However, policies and regulations do not provide clear criteria for the use of these human resources, and the implementation of the policies is a matter of concern from the perspective of fair and socially responsible employment practices.

The rules and regulations of UN organizations don't have clear definitions and overarching criteria for staff and non-staff contracts in functional terms. Usually "staff" is defined as the personnel who are subject to staff rules and regulations. However according to ILO recommendations, the main yardstick to use when deciding between staff and non-staff contracts should be the "employment relationship". If the work entails an employment relationship, in other words an employer-employee relationship, then the contract should be a staff contract.

Our findings indicated that many consultants, and particularly other types of non-staff personnel like individual contractors, are working on the premises of the organizations for extended periods of time with successive short-term contracts. They are supervised by the staff, provided with office equipment, email accounts and telephones, and have to comply with regular staff working hours. All these are objective indicators of an employer-employee relationship. Some managers argued that they are careful not to use consultants in core functions. Some other managers argued further saying that core functions are not clear. I'd like to underline that according to international labour principles, if there is an employment relationship, irrespective of whether it is a core function or not, the contract type has to be a staff contract.

The individual consultancy review indicated that organizations are facing great risks in the use of non-staff personnel. Based on the critical importance of the issue in the system, this year JIU launched a broader study concerning the use of all kind of non-staff personnel in the field offices of the organizations. So far our preliminary findings reflected that the use of other non-staff categories like individual contractors are more prevalent and alarming from the perspective of good employment practices. The pressure to deliver with inadequate funding and inflexible staffing models, coupled with permissive non-staff policies and the lack of oversight, leads organizations to resort excessively to the use of non-staff contractual modalities. This

leads organizations to have two parallel workforce in their premises with much different entitlements and rights.

Introducing different statuses for similar types of work in the system, which are no longer subject to a common set of rules and regulations, could have negative consequences in terms of fair employment practices, the reputation of organizations, and the coherence of the workforce.

The existing policies allow organizations to grant successive consultancy contracts which add up to long-term assignments, with or without short mandatory breaks. This practice is not in line with the nature of a consultancy contract and creates conditions for the inappropriate use of this contractual modality. The remuneration levels applied both within each organization and across the system are not consistent and guidelines are not adequate for proper implementation. Application of codes of conduct, conflict of interest and entitlements vary greatly from one organization to another.

Although the number of consultants and other non-staff personnel working on the premises of the organizations is significant, they don't have any representation channel or access to administration of justice mechanisms. This is not a fair and sustainable employment practice.

Distinguished delegates,

The United Nations system organizations are value-driven and must set a good example by applying the best employment practices. Therefore they need to align their policies with international labour principles and best practices. We believe that endorsement of report recommendations by this august body would facilitate improvement and harmonization of policy and practices of the organizations towards fair and sustainable employment practices.

Thank you.



**FIFTH COMMITTEE OF THE UN GENERAL ASSEMBLY 68TH SESSION
INTRODUCTION OF JIU REPORT ON "LUMP SUM PAYMENTS IN LIEU OF
ENTITLEMENTS" (A/68/373) BY INSPECTOR PAPA LOUIS FALL**

(New York 21-22 October 2013)

Dear Mr. Chairman, distinguished Delegates,

1. This review stemmed from a proposal submitted by the UN Secretariat (DM) and was supported by a dozen organizations. It considered whether the current and possible future application of the lump sum option for selected entitlements saved on overheads and provided greater flexibility for staff without any significant financial implications.

2. The use of lump sum payments in lieu of entitlements has been in effect in many UN system organizations, at least since 1990. Using such payment method presumably quickens administrative processes and generates major savings for the organizations. However, most of them responding to the JIU questionnaire attested that no cost-benefit analysis of the lump sum option had been conducted post-implementation. Furthermore there are discrepancies on application of the percentages used and on which base * airfare is taken by the same entities.

3. The report focused on the use of the lump sum option (LSO) in home leave travel and other statutory travel, shipment of personal effects/household goods as well as on the payment of daily subsistence allowance (DSA) on official travel. JIU noted that some entities do not strictly adhere to the DSA regulations, i.e. where accommodation is provided, the DSA shall be reduced by 50%, thereby increasing costs. Others required documentary proof of paid accommodation, which is as contrary to the lump sum principle and spirit. Even so, full compliance with established DSA rates and relevant limitations should be ensured (Rec.2)

4. In this respect, JIU recommended the executive heads of the UN system to conduct a comparative analysis of the costs of providing LSO for home leave travel. Legislative bodies would decide afterward whether to take any action deemed appropriate (Rec.1)

5. OIOS, in its comprehensive audit of air travel activities and related practices (A/67/695) – confirmed recently that no cost-benefit analysis of the LSO had been conducted since 1995. The fact that 91% of staff members at main duty stations used the option is indicative that it is financially attractive to staff. In response to OIOS recommending periodic assessments, UN Secretariat set a target implementation date, taking account of concurrent activities outcome.

6. Apropos shipment of personal effects and household goods, JIU observed that in organizations where the LSO was granted to a staff, the latter had only to attest having received the due sum. No proof/invoice of actual shipment is required. The rationale behind this is that LSO is offered to facilitate staff's movement and to lower administrative costs. JIU supports this practice which could be extended to the LSO under statutory travel.

7. Some staff as well as other officials travelling for organizational reasons may be granted ad-hoc (special) DSA. However ST/AI.2003/9 discontinued (from 1/1/2004) the additional amount of DSA previously payable to UN staff at the ASG/above level and in the Director category. Many entities followed this approach. Yet other officials are still entitled to the additional DSA. Therefore in the spirit of equality and with the purpose to achieve financial savings, JIU recommended the suspension of such additional DSA (Rec.3)

8. It is a fact that staff in the same duty station, while getting similar salaries under the ICSC structure, receive different lump sum amounts for home leave travel. Bearing in mind the need to enhance coordination/cooperation within the UN system, JIU recommended the CEB, through its relevant networks, to adopt a unified methodology for calculating implementation costs of the entitlement when a staff member selects the lump sum option (Rec.4)

9. In the same vein, the JIU stressed the need to harmonize existing lump sum procedures and calculation criteria – thus saving time and paper work – and recommended the adoption of a lump sum amount covering all travel-related expenses, when the organizations purchase the air tickets for staff's home leave travel (Rec.5). Indeed, this is something the ICSC should consider in conducting their overall review of the compensation package, in all fairness to staff working in different UN organizations, and singularly those in the same duty station.

10. The LSO was and is considered to be a win-win scenario for staff and organizations, but its application is not at insignificant cost to Member States. Considering the current financial situation, JIU thinks that organizations and their staff - with management leading by example - should exercise fiscal responsibility and work together towards eliminating or reducing unnecessary costs. At the same time, as the CEB put it, there is a “necessity to ensure that staff across the UN common system travelling to the same location are treated equally”.

Thank you.

* in ST/AI/2013/3 on Official Travel in the UN Secretariat, effective 12 August 2013, the lump sum payable has been reduced from the previous 75% of the “full economy fare” to 70% of the “least restrictive economy class” base fare



**CINQUIEME COMMISSION DE LA 68EME SESSION DE L'AG / ONU
PRESENTATION DU RAPPORT ET DES NOTES DU CCI / JIU SUR
« LE RECRUTEMENT DU PERSONNEL DANS LE SYSTEME DES
NATIONS UNIES: ANALYSE COMPAREE ET CADRE DE REFERENCE »
(A/67/888) New York 21-22 Oct. 2013**

Monsieur le Président, Excellences, distingués Délégués,

Source d'intérêt toujours vivace de la part des Etats Membres, les processus de recrutement dans les organisations du Système requièrent en permanence des améliorations énergiques, si les NU veulent s'assurer des plus hautes qualités d'efficacité, de compétence et d'intégrité, en ayant à l'esprit des principes aussi prégnants que ceux de la représentation géographique, de l'équilibre entre les genres et de l'égalité des langues officielles et de travail.

Dans cette collection, qui comprend un rapport d'ensemble et trois notes d'accompagnement, le CCI s'est penché sur les règles de recrutement, politiques et pratiques à l'échelle du système, sur la base d'une suggestion initiale du Secrétariat de l'ONU, endossée par une douzaine d'organisations.

En accordant une attention particulière aux recrutements externes donnant lieu à des engagements d'une année ou plus, l'examen a également permis de présenter une analyse comparative des points communs, différences et bonnes pratiques, et d'explorer les possibilités d'harmoniser davantage les procédures de recrutement. Le CCI propose un cadre de référence bâti autour de 15 critères permettant de baliser ce processus, et formule quatre recommandations respectivement aux EM, aux OSNU et au CCS/CEB..

En ce qui concerne le cadre institutionnel, le CCI plaide pour une plus grande implication des services de RH et des représentants du personnel pour renforcer la légitimité du processus et en contrer les perceptions d'injustice révélées par un sondage effectué. Les Inspecteurs considèrent que le pouvoir discrétionnaire imparti aux chefs de secrétariat en matière de nomination, y compris pour les postes de haut fonctionnaire, pourrait nuire à la transparence et au caractère compétitif du processus, si ce pouvoir ainsi que la délégation d'autorité accordée aux directeurs de service, n'étaient pas assortis de systèmes de responsabilité régulièrement soumis à la supervision des organes délibérants et à la vérification des organismes de contrôle. Ils recommandent de compléter le dispositif réglementaire existant par des stratégies de gestion des ressources humaines, des politiques et procédures d'emploi et de planification de la main d'œuvre et de la relève, ainsi que par un cadre de compétences en phase avec les réalités changeantes du monde.

S'agissant du processus de recrutement, les Inspecteurs considèrent aussi qu'il est souvent complexe, tatillon et prend beaucoup de temps, nécessitant un contrôle étroit et une action ciblée. Ils proposent un certain nombre de

mesures pour en améliorer l'efficacité : standardisation des descriptions de poste, raccourcissement à 30 jours de la durée des annonces de vacance de postes, combinaison de méthodes d'évaluation et de vérification des références, de développement des techniques de recrutement en ligne et utilisation de fichiers de réserve.

Dans le cadre de l'harmonisation des modalités de recrutement, la CFPI et le CCS/CEB (réseau RH du Comité de haut niveau) ont un rôle essentiel à jouer, tant pour actualiser le système de classement des emplois mis au point par la CFPI, et harmoniser les exigences minimales en matière d'études, d'expérience professionnelle et de connaissances linguistiques, que pour unifier la publication des vacances de poste et la sélection à l'échelon des pays pour certaines catégories de personnel, conformément à l'objectif d'une «unité d'action des Nations Unies».

Sur la question de l'équilibre entre les genres, rappelons que les engagements souscrits pour assurer la parité au sein du secrétariat des organisations de l'ONU, ne sont pas toujours honorés, singulièrement pour les postes les plus élevés, même si des progrès ont été enregistrés. En conséquence, le principe de la parité entre les sexes devrait être mieux intégré dans la culture institutionnelle, le statut du personnel ainsi que dans les stratégies, politiques, directives, procédures et pratiques de recrutement, étant entendu que la considération dominante dans le recrutement doit être la nécessité d'assurer à l'organisme les services de personnes possédant les plus hautes qualités de travail, de compétence et d'intégrité.

En ce qui concerne la répartition géographique, différents systèmes sont utilisés (fourchettes optimales ou régions ou pays donateurs/de programme). Ils ne s'appliquent toutefois qu'aux postes inscrits au budget ordinaire et à un petit nombre de postes d'administrateur et de fonctionnaire de rang supérieur, en déphasage avec l'esprit de la Charte des NU et les changements radicaux en cours au niveau des mécanismes de financement et dans la composition des secrétariats. En conséquence, les inspecteurs préconisent l'application de ces systèmes à l'ensemble des postes d'administrateur et de fonctionnaire de rang supérieur créés pour une année ou plus, et proposent d'intégrer aux stratégies, politiques et pratiques en matière de recrutement des mesures destinées à garantir une meilleure répartition géographique équitable.

Je vous remercie de votre aimable attention.