

25 March 2002

UNSCV ANNUAL REPORT

Abbreviations

ACPAQ	Advisory Committee on Post Adjustment Questions
APB	Appointment and Promotion Board
APC	Appointment and Promotion Committee
APP	Appointment and Promotion Panel
CAC	Commissary Advisory Committee
CATAC	Catering Advisory Committee
CCISUA	Coordinating Committee for International Staff Unions and Associations of the United Nations System
ICSC	International Civil Service Commission
ILOAT	Administrative Tribunal of the International Labour Organization
JAB	Joint Appeals Board
JAC	Joint Advisory Committee
JAGGO	Joint Advisory Group on Garage Operations
JDC	Joint Disciplinary Committee
OHRM	Office of Human Resources Management
OIOS	Office of Internal Oversight Services
PAS	Performance Appraisal System
SMCC	Staff Management Coordination Committee
UNAT	United Nations Administrative Tribunal
UNJSPB	United Nations Joint Staff Pension Board
UNJSPF	United Nations Joint Staff Pension Fund
UNSCV	United Nations Staff Council at Vienna
VBOs	Vienna-based organizations

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SIGNIFICANT EVENTS DURING THE REPORTING PERIOD

Terrorist attacks in the United States

Without question, the most significant event of 2001 worldwide, occurred on 11 September. Early that morning, US Eastern Standard Time, four commercial aircraft were hijacked by a group of well-coordinated terrorists. Two planes were flown, on suicide missions, into the World Trade Center in New York City. The third was flown into the Pentagon in Washington, D.C. The fourth, after what is believed to have been a heroic struggle by some of the passengers, crashed in the countryside near Pittsburgh, Pennsylvania. People the world over were stunned. In remembrance of those lost in this senseless attack, the President of the Staff Council, with the support of the Presidents of the Staff Councils of IAEA, UNIDO and CTBTO, organized a moment of silence at the Peace Bell on 13 September.

Visits to Vienna by the Secretary-General and Deputy Secretary-General

In response to the above events, the Deputy Secretary-General visited Vienna on 22 and 23 November 2001, and was followed by the Secretary-General from 28 to 31 January 2002. Members of the Staff Council had an opportunity to meet with both officials, as described below.

The Deputy Secretary-General indicated that the reason for her trip to Vienna was to learn more about the substantive programmes in the VIC so as to gain an understanding of how and whether they might play a role in future United Nations activities in Afghanistan and in the anti-terrorism agenda. She had been asked by the Secretary-General to report on these matters for his consideration.

Those substantive issues aside, the Staff Council took the opportunity to indicate to the Deputy Secretary-General the struggle that we had been engaged in Vienna. Specifically, although the Staff Council had raised serious concerns regarding management, little had been done until the newspapers had made our situation public. Subsequently, the Organization had moved quickly, sending a team of OIOS investigators to Vienna. About the same time, a number of donor Governments had frozen their contributions.

In discussing this unfortunate series of events, we suggested that the office of the Deputy Secretary-General might be used as an “early warning” channel to allow Staff Councils to raise concerns regarding improper management before programmes were undermined. In addition, the Council suggested that Under-Secretaries-General must be given adequate orientation as to what was expected of them during their term of office before they were assigned. Not to do so would set them up for failure.

The Deputy Secretary-General assured us that the quality of the staff in Vienna had never been called into question. In this regard, the Council noted that a priority of the international community, namely, the fight against terrorism, organized crime and drug trafficking, should thrust ODCCP into the forefront of the UN's activities. However, we acknowledged that we could assume such a leading position only if Governments had confidence in our managers' capabilities. The Deputy Secretary-General understood our concerns and assured us that she would convey them to the Secretary-General.

The visit of the Deputy Secretary-General was followed on the next day by an open staff meeting with the Director-General/Executive Director, at which some of these same concerns were echoed. Unfortunately, the schedule of the Deputy Secretary-General did not permit her to remain in Vienna for that meeting. The President of the Staff Council noted that the meeting was the most transparent and conciliatory one that had taken place in Vienna for a number of years. This view was conveyed by the President of the Staff Council in formal letter to the Deputy Secretary-General.

Similarly, the Secretary-General's visit to Vienna addressed both the role of UNOV/ODCCP in the UN's anti-terrorism agenda, and the issue of management. In the meeting with the Secretary-General, the Staff Council conveyed its willingness to assist the Organization in the former. With regard to the latter, the Staff Council indicated that it had been a very challenging year in Vienna and that the Staff Council had maintained a cooperative approach to staff/management relations, but had encountered a number of impediments. Our primary concern was that many of the management inadequacies which had been raised by OIOS had actually already been concerns of the Staff Council three years earlier. As we had indicated to the Deputy Secretary-General, we felt that, had our concerns not fallen on deaf ears, at that time, we could have solved a number of the problems before they became so serious.

The Staff Council took the opportunity afforded by the Secretary-General's visit to convey its opinion on the type of individual needed to assume the post of Under-Secretary-General in Vienna. The individual ought to possess United Nations management competencies and have the kind of instant credibility that would elicit the confidence of both the staff and the Member States. Should the manager assigned fail to have such credibility, funding might be lost, jeopardizing not only staff contracts but also programme delivery. That having been said, the Staff Council assured the Secretary-General of its full confidence in his ability to take a sound decision and of its readiness to continue the established pattern of close cooperation.

Inspection by OIOS and the Board of Auditors and the departure of the Director-General/Executive Director

While the terrorist attacks brought the United States and much of the world to a halt, closer to home, the Staff Council's energies during reporting period were invested in large measure in the OIOS inspection and the report on management and administrative practices by the UN Board of Auditors. Indeed, the past year was one of unprecedented negative public exposure of UNOV/ODCCP. The professional image and the financial

viability of our duty station were seriously jeopardized by documented inadequacies in management and organizational structure.

The series of events that took place as a result of the management reports are described in more detail in section.....of this report. Suffice it to say that the Staff Council perceived that the DG/ED failed to make a good faith effort to engage staff in an open dialogue with a view to making genuine changes in the manner in which this duty station was being run. It was our opinion that the report of 13 September 2001 by the DG/ED on the implementation of the recommendations contained in the inspection report by OIOS on ODCCP, the triennial reports of UNDCP and CICP and the report of the UN Board of Auditors presented an intentionally inaccurate and overly rosy image of the situation in UNOV/ODCCP. The Staff Council shared its reservations with the Secretary-General, OIOS, the Director-General/Executive Director, and UNOV/ODCCP staff in “An eventful year in Vienna: Are there changes ahead?” (Focus: UNSCV/XVIII/8 of 24 September 2001).

The Under-Secretary-General of OIOS agreed with the assessment of the Staff Council, stating that the report of the DG/ED had “undermined the effort to improve the working conditions in Vienna” and reserved “conclusive judgement on the overall progress in implementing its recommendations.” In the end, the Secretary-General requested the early departure from Vienna of the Director- General/Executive Director on 31 December 2001.

REVIEW OF STAFF COUNCIL ACTIVITIES REVIEW OF STAFF COUNCIL ACTIVITIES

The eighteenth session of the United Nations Staff Council in Vienna has completed its second year in office. The Council has prepared this review in an effort to provide staff at large with a concise picture of its activities over the past year. This review repeats some of the text presented in the previous report. However, it was thought that such repetition would be useful for the benefit of new staff and for those staff not fully conversant with the very broad range of activities of the Council. Indeed, your Council is everywhere!

The review is divided into sections on advocacy, services for staff, outreach, finances and work atmosphere. In addition, this review makes a plea for greater staff involvement in the work of the Staff Council. For additional information, please see the relevant section of the full report.

Advocacy: Protecting the rights of staff

The primary role of your Staff Council is to advocate on behalf of all UNOV/ODCCP staff in matters of common concern related to conditions of service, terms of employment and the implementation of the UN Staff Regulations and Rules. Although the Staff Council is funded through voluntary contributions by staff, it makes no distinction as to membership or employment status when representing staff. Dues-paying, non-dues-paying, Professional, General Service, short-term, fixed-term, permanent, project staff, and field staff are all represented equally.

Formal advocacy is mainly limited to the Joint Advisory Committee (JAC) in respect of local matters, the Staff Management Coordination Committee (SMCC) in respect of UN Secretariat-wide matters, and the International Civil Service Commission (ICSC) in respect of UN common system matters.

In the JAC, the staff representatives have been satisfied with the degree of professional respect granted them by their management counterparts. The JAC has been able to conclude its deliberations on several issues, including the following:

- The preparation of a local administrative instruction on the lateral reassignment of staff as a means of adding an element of transparency to the exercise of the authority delegated to the Director-General/Executive Director;
- The abolition of the UNOV/ODCCP Departmental Panel for staff in the Professional category, up to and including the P4 level;

- The preparation of an administrative instruction on the filling of vacant posts which helped to clarify the Staff Rules; and,
- The approval of revised terms of reference and the endorsement of revised rules of procedure for the Child Care Centre Committee.

The JAC was also able to work with its counterpart in UNIDO to discuss and adopt the proposals of the Joint Standing Committee on Health and Life Insurance.

Apart from these achievements, the Council would like to mention two issues on which progress has been somewhat delayed, but which are now on track to be finalized soon. Those issues are the flexible working hours scheme and the social security agreement with the Austrian Government.

Flexible working hours have been in effect in Vienna, on an “experimental” basis, since December 1993. In 2000, the JAC agreed that the administration would formalize the scheme by issuing an information circular. Just before that draft circular was to be reviewed by the JAC, the Office of Internal Oversight Services raised some concerns regarding the system that forced the administration to delay the issuance of the draft. In response to those concerns, the President of the Council was able to join with the Director, DACS, at the XXVth session of SMCC to convince that high-level body to fully endorse the Vienna flex-time system as consistent with the Secretary-General’s “work-life” agenda.

The legal office of the IAEA has successfully negotiated a new social security agreement with the Austrian Government which appears to provide a number of benefits to Agency staff. In a series of meetings with the Senior Legal Liaison Officer and an expert legal consultant, the complex issues involved have been studied, and negotiations are likely to commence on the matter in the first quarter of 2002.

The SMCC is the highest-level staff-management consultation and negotiation body in the United Nations Secretariat. While each staff union represented is independent, there is often an effort to speak with a common voice on matters that are of general interest to staff. The 2001 session of SMCC was convened in New York in October. Your Staff Council had an opportunity to be very active in the deliberations of that meeting, both verbally and in writing. Agenda items included accountability; selection of staff, including mobility issues; contractual arrangements; the reform of the internal justice system; revisions to the Performance Appraisal System, and flexible working hours.

The Staff Council is a member of the Coordinating Committee for International Staff Unions and Associations of the United Nations System (CCISUA). CCISUA, as a federation, is permitted to participate in the sessions of the ICSC. For UNOV/ODCCP, membership in CCISUA gives us access to ICSC deliberations on wide-ranging common-system issues such as security and safety of staff, salary determinations for both local and international staff, education grants, etc. In this context, the most significant exercises

during the reporting period were the place to place survey of living expenses for use in the Professional salary calculations and the ongoing local salary survey for use in the General Service salary calculations. The former was completed in late 2000 and resulted in the summer of 2002 in a salary increase of nearly 10% in net base pay for all Professional staff. The Council has its collective fingers crossed that the General Service staff will be granted a similar increase!

With regard to informal advocacy outside the context of the JAC, the SMCC and the ICSC, your Staff Council is assisting staff daily basis in a range of matters. Concerns are wide-ranging and include contractual disputes, procedural concerns relating to placement or promotion, termination of contracts, conflicts between staff and managers, access to training, and much more.

On a larger scale, the Staff Council has represented the staff in a series of meetings to prepare for the removal of asbestos from the VIC. The removal process has been delayed slightly and will commence in mid-2002, when staff will started to be moved, for 3-month periods, to the temporary office space recently constructed in the VIC grounds.

Services for Staff

The Staff Council, either directly or indirectly, provides a number of services for UNOV/ODCCP staff members. The Council fully supports the Staff Services Officer, who establishes discounts with local businesses for goods and services (e.g., automobiles, clothing, fitness club memberships, access to financial planning experts, telephone cards, etc.) and makes arrangements for UN staff to attend special events (e.g., concerts, plays, etc). The Staff Council also directly manages the Souvenir Shop at the UN Visitor Centre at Gate 1. Profits support the Staff Defence Fund. Further, the Staff Council has increased its pool of local lawyers, thus allowing for up to three free legal consultations per year on non-UN matters for all dues-paying members.

The Council has also created a US-Dollar Housing-Service Trust-Fund Account that permits you to use the IAEA Housing Service. Under this arrangement, staff members make an up front payment of \$700.00 (or \$750.00 for non-dues-paying members) in order to have access to the Housing Service. This payment is held in trust by the Staff Council. If staff members conclude a contract through the Housing Service, then a payment of \$700.00 is made by the Staff Council to the IAEA. If no contract is concluded, the staff members (dues-paying and non-dues-paying) can recover \$700 from the Staff Council. If it were not for this inexpensive and practical option, UNOV/ODCCP staff would be required to search the classified ads or turn to very expensive local real estate agents.

Finally, while it does not have a direct administrative role, the Staff Council works closely with the Staff Welfare Board on matters relating to expenditures incurred for the benefit of staff at large that are paid from the Staff Welfare Fund (e.g. the new Child Care Centre; partial defrayal of costs for those participating in the Inter-Agency Games), and to the operation of the Staff Assistance and Staff Benevolence Funds. Funds administered by the Staff Welfare Board receive income primarily from a share of the nominal charges

levied on the sale of liquor, tobacco products and other luxury goods sold in the Commissary.

Outreach

The Staff Council has continued to follow a clear donation policy designed to support projects and agencies that address development, human rights, natural disaster relief, peace maintenance and conflict resolution and counselling. Donations have been made to assist the families of the victims of the terrorist attacks in New York City, the Vienna Befrienders, the Know One-Teach One education programme for street children in Viet Nam, SOS Kinderdorf, the Chameleon Order hospital for leprosy patients in Laos, and Frauen-Solidarität, and to defray the cost of printing the UNWG booklet Crisis in Vienna. The Council also helped organize the collection for World AIDS Day. In addition, the Council co-hosted the Vienna-based NGO Day with the United Nations Information Service (UNIS).

Finances

In accordance with its Financial Rules, the Staff Council maintains a chequing account and a savings account in which its regular income is deposited and from which expenditures are made. Voluntary dues paid by the great majority of UNOV/ODCCP staff represent the primary source of income of the Staff Council. The number of dues paying members has increased significantly over the reporting period and now stands at approximately 85% of staff. Dues are generally paid by means of an automatic deduction from the member's salary of 1.5 per mille of the monthly net salary plus allowances. Additionally, the Staff Council receives voluntary dues from staff in UNICRI, and a monthly payment from CTBTO in exchange for which staff of that Organization are allowed to use the facilities provided by the Staff Services Office. Expenditures by the Staff Council that exceed €225 require a Council vote and are recorded in the minutes of its meetings.

In accordance with Rule 8 of its Financial Rules, the Staff Council has also established a Staff Defence Fund account. The funds in this account are used to cover, in whole or in part, the costs of legal advice and assistance to staff filing an application with the United Nations Administrative Tribunal on issues of general interest for the staff at UNOV/ODCCP or for the staff of the Organization at large.

Work atmosphere

While the Staff Council can point to several clear and tangible outcomes resulting from its work and deliberations over the past year, it has also attempted to tackle some less tangible matters. The Staff Council continues to be contacted by staff at all levels voicing concerns about poor communication, lack of transparency, uncertainty in their expected roles, low morale, and instability of funding.

Clearly, these concerns were exacerbated by the flood of journalistic reports on the management of UNOV/ODCCP and the resultant reports of the OIOS and the UN Board of Auditors referred to above. You can rest assured that your Staff Council will continue to play a cooperative and constructive role in the management changes ahead. That role will take as its premiss a concern for transparency and inclusion.

A plea for increased staff involvement

Annex 3 to this report lists all the staff nominees to the 20 statutory joint bodies. Apart from those official bodies, the Staff Council must locate willing participants to other ad hoc groups. While membership in the Staff Council and the requisite official release associated with such membership is outlined in General Assembly document A/C.5/50/64 and in ST/AI/293, the involvement of staff in all other committees and panels is entirely voluntary. The Staff Council would make a plea to supervisors to acknowledge that the time your staff dedicate to the common good is official time. Similarly, the Council would make a plea to staff members at large to get involved. Bring your concerns, along with ideas for dealing with those concerns, to the Council.

Unless it is declared as closed or confidential, any staff member may attend any Staff Council meeting as an observer, should he/she have an interest in one of the agenda items. The Council continues to post the provisional agenda and the minutes of Council meetings on its Lotus Notes electronic bulletin board, under the heading UNOV Bulletin Board. Therefore, anyone who wants more detailed information can easily obtain it. The Council is happy to receive feedback from staff members.

INTRODUCTION

1. During the second year of the eighteenth session of the United Nations Staff Council at Vienna, a total of 12 regular meetings were held. The Council was consulted and expressed its position on the items before the Joint Advisory Committee (JAC), the Coordinating Committee for International Staff Unions and Associations (CCISUA) and the Staff Management Coordination Committee (SMCC). The Council's energies were mainly devoted to addressing both the management failings of ODCCP discerned by the Office of Internal Oversight Services and the Secretary-General's ongoing reform agenda. The latter included the issues of accountability; selection of staff, including mobility issues; contractual arrangements; and the long-standing issue of the reform of the internal justice system. Please refer to the relevant sections of the report for details.

THE UNOV INTERNAL JUSTICE SYSTEM¹

1. Joint Appeals Board (JAB)²

2. The Joint Appeals Board is comprised of: (a) chairpersons appointed by the Secretary-General after consultation with staff representative bodies for the particular duty station; (b) members appointed by the Secretary-General; and (c) members elected by the staff of the particular duty station. Each JAB establishes its own rules of procedure, including procedures for selecting its Presiding Officer. Each JAB also has a secretariat, consisting of a Secretary and such other staff as may be necessary for its proper functioning.

3. In accordance with Staff Regulation 11.1, any staff member may appeal against an administrative decision, alleging the non-observance of his or her terms of appointment, including the pertinent regulations and rules. The first step in such an appeal is for the staff member to address a letter to the Secretary-General requesting that the administrative decision be reviewed (an "administrative review"). This letter must be sent within two months of the date on which the staff member is informed in writing of the decision. If the Secretary-General (or his designated representative) replies to the staff member's letter, the staff member may appeal against the answer within one month of receipt of the reply. If the Secretary-General does not answer within one month in respect of staff members stationed in New York, or two months for staff members stationed elsewhere, the staff member may then appeal against the original administrative instruction within one month of the date by which an answer would have had to be received. At any time during this period from the time of the request for administrative review, settlement of the dispute may be sought on the initiative of any party.

¹ Apart from the formal

² The Joint Appeals Board

4. Following the administrative review process, the staff member may file his or her appeal within the time limit specified above with the Secretary of the relevant JAB. The Presiding Officer shall then constitute a panel to hear the case, consisting of one chairperson, one member from those appointed by the Secretary-General and one member from those elected by the staff. The designated representative of the Secretary-General is given two months to submit a written reply to the representations appearing in the staff member's appeal. Proceedings before the panel are generally limited to written presentations, together with brief statements or rebuttals which may be made orally or in writing. As is the case for a JDC, a staff member is entitled to be represented before a JAB by any other serving or retired staff member, but not by other legal counsel from outside the United Nations.

5. The findings of the JAB, including its recommendations as to any appropriate action which should be taken, must be reported to the Secretary-General within one month of the consideration of the case. A final decision is then normally taken on the matter by the Secretary-General within one month. This decision may then, if necessary, be appealed to the United Nations Administrative Tribunal (UNAT). If the Secretary-General has not made a final decision within one month on a finding of the JAB which would otherwise be favourable to the staff member, the staff member may apply for a ruling by the UNAT.

6. In comparison with the six appeals filed in 2000, five appeals were filed with the Vienna Joint Appeals Board in 2001. The status of cases as of 31 December 2001 is as follows:

Appeals filed in 2001	5
Requests for suspension of action	0
Reports completed on appeals	6
Reports completed on suspension of action	0
Cases which are still under conciliation	1
Cases settled through conciliation/agreement	1

1. The Vienna JAB has now cleared the backlog in cases that had accumulated in 2000 as a result of delays in the selection of members.

2. Joint Disciplinary Committee (JDC)³

8. These bodies are typically comprised of: (a) chairpersons appointed by the Secretary-General after consultation with staff representative bodies for the particular duty station; (b) members appointed by the Secretary-General; and (c) members elected by the staff of the particular duty station. Similar methods are used in cases of ad hoc JDCs. From among the chairpersons, a Presiding Officer is appointed by the Secretary-General in consultation with the staff representative bodies for the particular duty station. For the consideration of each case, the Presiding Officer constitutes a panel consisting of one chairperson, one member from those appointed by the Secretary-General and one member from those elected by the staff.

9. Where there is reason to believe that a staff member has engaged in conduct for which a disciplinary measure may be imposed, the head of office or responsible officer must first undertake a preliminary investigation. If the preliminary investigation appears to indicate that an allegation of misconduct is well founded, the head of office or responsible officer must immediately report the matter to the Assistant Secretary-General, Office of Human Resources Management (ASG/OHRM). Should the ASG/OHRM decide on the basis of the report that the matter should be pursued, the staff member is informed in writing of the allegation(s) and the supporting evidence and allowed an appropriate time to respond to the allegations and provide countervailing evidence. (It should be noted that from this time onwards, including before the JDC, the staff member is entitled to be represented by any other serving or retired staff member, but not by other legal counsel from outside the United Nations.)

10. Based upon the entire dossier, the ASG/OHRM shall decide: (a) that the case should be closed and the charged dropped; (b) that the case should be referred to a JDC for advice as to whether misconduct has indeed occurred; or (c) that the evidence clearly indicates that misconduct has occurred, that the misconduct is sufficiently serious to warrant immediate termination from service, and that a decision should be taken by or on behalf of the Secretary-General regarding summary dismissal.

11. Once the matter has been referred to a JDC, a panel is constituted as described above to consider the case. Such consideration is based upon the original dossier, together with statements and rebuttals which may be made in writing or orally. The findings of the JDC, including its recommendations as to what sanction, if any, should be applied are reported to the Secretary-General through the Under-Secretary-General for Management. A final decision is then taken by or on behalf of the Secretary-General. Any appeal in respect of a disciplinary measure imposed after consideration by a JDC must be submitted directly to the United Nations Administrative Tribunal (UNAT).

12. A panel of the Joint disciplinary Committee (JDC) was constituted in March 2001 in accordance with Chapter X of the Staff Rules, in order to advise the Secretary-General on one case referred to it by Ms. Rafiah Salim, Assistant Secretary-General for Human Resources Management.

13. The Draft Rules of Procedure and Guidelines of the Joint Disciplinary Committee at Headquarters were adopted after amendment of certain definitions to bring them into line with the situation in Vienna.

14. The case was satisfactorily concluded in July 2001, and the report forwarded to the Secretary-General.

3. Panel of Counsel⁴

15. The period under review has shown a small increase in the number of cases brought to the attention of the Panel of Counsel. In addition to what is reported in connection with the Joint Appeals Board, and the Joint Disciplinary Committee, the Panel has also been involved in mediation in the areas of promotion and contractual status.

16. Efforts will continue in order to encourage staff members to bring their grievances forward and make use of the machinery which exists for this purpose.

17. We are pleased to report that the membership of the Panel has increased by seven members during the past year, bringing it to a total of 14.

Panel on Discrimination and Other Grievances⁵

These local Panels consist of staff members who are normally appointed for terms of two years by the Secretary-General from a list of names submitted by the head of office on the recommendation of the local Joint Advisory Committee (JAC). The Panels are given the task of investigating grievances submitted by staff members arising from their employment with the Organization, including, but not necessarily limited to, allegations of discriminatory treatment.

The process is set in motion when the staff member concerned brings his or her case directly to any Panel member or the local Panel Coordinator. Staff away from UN Headquarters may opt to submit their case either to the Panel at Headquarters or to the Panel at their duty station. However, once a case has been submitted to either of these Panels, it will be excluded from being considered by the other. The Panels may decline to deal with matters which, in their opinion, fall within the competence of other established advisory bodies.

It is intended that the panels should treat cases on a confidential basis and resolve grievances informally wherever possible. Where this is not possible, the Panels can recommend appropriate action to the Secretary-General, Assistant Secretary-General, Office of Human Resources Management or the Head of Office.

After the term of office of the previous Panel on Discrimination and other Grievances had expired, the composition of a new Panel was established by UNOV Information circular

119 for a two-year period starting on 1 March 2001. The Panel is currently operating at full capacity.

During the period from March 2001 to March 2002, the Panel dealt with one long-standing case involving two individual staff members. This case was finally resolved through mediation by a Panel member in June 2001. A second case was brought to the Panel by a staff member in February 2002, and a mediation attempt will be initiated in the near future.

B. STAFF COUNSELLING SERVICE

UNOV is fortunate to have a Staff Counsellor. Information circular ST/IC/1999/111, of 29 December 1999, on mental health and medical and employee assistance facilities, states that the policy of the Organization is "...to engender a more open, supportive and effective approach to mental health...", and reminds staff that they have the "opportunity and the responsibility to seek assistance when they are unable to work for any health-related reason". Staff are further encouraged to make the fullest use of existing medical and employee assistance facilities.

Our in-house Counsellor is trained to understand the kinds of problems that staff typically face, and in particular to be sensitive to cross-cultural and organizational-climate issues. Under her terms of reference, the Counsellor respects the confidentiality of all consultations. This type of emotional support can help individuals and can also head off interpersonal conflicts in the workplace. Thus, the Staff Counsellor can be an asset not only to the individual and to his or her family, but also to the Organization.

The primary concern that the Staff Council would like to voice in this respect is that the Administration provides for only ten hours a week of staff counselling service. Given the importance of assisting staff in need of such service, the Council would request the Administration to make every effort to secure the additional resources required to increase the number of weekly hours of counselling service available to UNOV staff members. As a demonstration of the scope of the Counsellor's activities, ...UNOV/ODCCP staff, or approximately ... of us, made use of the service in the past year. The staff Counsellor, Ms. Patience Gebauer, can be consulted by appointment only. She can be reached at extension 5786.

STAFF WELFARE BODIES

Staff Welfare Fund

The Staff Welfare Fund provides financial support for activities of potential benefit to the staff as a whole. The Fund is managed by the Staff Welfare Board, which met three times during the year 2001, on 6 March, 20 June and 28 September, the latter two

meetings under new chairmanship (see Information circular UNOV/INF.86/ Amend.1/ ODCCP/INF.87/Amend.1 of 21 May 2001).

The issues covered ranged from Euro conversion, including new “round” ceilings for the Staff Assistance Fund (UNOV/INF.28/Amend.1/ODCCP/INF.27/Amend.1, dated 3 October 2001), to subsidy payments for UNSCV participants in CCISUA and SMCC meetings totalling ATS 96,822; equipment for the Childcare Centre amounting to ATS 11,478; final payment of UNOV’s share in the Childcare Centre of ATS 385,564 (thus bringing UNOV’s total contribution a to ATS 1.7 million); and a subsidy payment of ATS 238,500 for participation in the Inter-Agency Games held in Alicante, Spain. Moreover, the Staff Benevolent Fund was replenished with a subsidy of ATS 100,000 from the Staff Welfare

Staff Assistance Fund

The Staff Assistance Fund is a sub-account of the Staff Welfare Fund and is designed to provide loans for provident and productive purposes to staff members of the United Nations units at Vienna. The Committee processed 66 loan applications during the year, disbursing a total of ATS 5,432,000.

Staff Benevolent Fund

The Staff Benevolent Fund is a sub-account of the Staff Welfare designed to render financial assistance to staff members of the United Nations units at Vienna in the event of urgent financial need or distress. The Trustees of the Fund approved three new interest-free loans totalling ATS 114,000 during 2001.

STAFF SERVICES OFFICER

The Staff Services Officer, Mr. Mario Jordan, continued to serve UNOV and CTBTO staff who are dues-paying Union members by providing information on rebates and discounts available at numerous firms throughout Vienna and the surrounding area. From ...to ... 8 December, he organized the annual Christmas Exhibition in the Staff Lounge. Proceeds from the exhibition, amounting to ATS 35,810.00, were donated to SOS Kinderdorf.

HOUSING SERVICE

The arrangements negotiated by the Staff Council with the IAEA Housing Service, under which staff pay to make use of the Service, have continued to operate satisfactorily. It is expected that the Service will continue unchanged for the foreseeable future.

CLOSING OF THE VIC DURING THE YEAR-END HOLIDAYS

As in past years, the Staff Council supported the closure of UNOV/ODCCP during the three-day period between Christmas and New Year's Day. The proposal forwarded by staff to the Administration called for a 50/50 split in annual-leave days, under which staff would spend 1.5 days of annual leave and the Administration would absorb the remainder. Headquarters rejected the submission and the building remained open.

UNSCV SOUVENIR SHOP

In October 1999, the UNSCV Souvenir Shop was relocated from the Rotunda to the Visitor Centre at Gate 1. While sales were initially slow, they now appear to be increasing due, undoubtedly, to the expansion of the services available at the Visitor Centre. UNSCV must thank the Administration for providing flyers and a web site for the Souvenir Shop (www.unvienna.org/Souvenir/home.htm). Staff are encouraged to purchase items at the Souvenir Shop, the proceeds of which support the Staff Defence Fund and selected charities.

INTER-AGENCY GAMES

The Staff Council joined efforts with the Councils of UNIDO and CTBTO to form joint teams to participate in the Inter-Agency Games, sponsored by ITU-Geneva, in Alicante, Spain, from 26 to 30 April 2001. Disciplines included athletics, badminton, basketball, bridge, chess, darts, golf, petanque, seven-a-side football, table tennis, tennis and volleyball. The Council hopes the next Inter-Agency Games, scheduled to take place from 1 to 5 May 2002, in Antalya, Turkey, will be similarly successful.

CHARITABLE DONATIONS

The Staff Council continued to implement its charity donation policy geared to small- and medium-sized projects and agencies devoted to the advancement of United Nations goals such as economic and social development, human rights, disaster relief and maintenance of the peace, including conflict resolution and counselling. During the period under review, the following were awarded UNSCV donations:

FRAUENSOLIDARITÄT-SOLIDARITY AMONG WOMEN (Austria) received a donation of ATS15.000 in support of the "Clean Clothes Campaign", designed to promote and safeguard women's rights and social standards in the garment industry by exposing women's actual working conditions in this sector and confronting them with internationally agreed codes of conduct and monitoring procedures.

UNITED NATIONS WOMEN'S GUILD. The Vienna UNWG received a contribution of ATS 2,000 towards the cost of printing the updated handbook, "Crisis in Vienna: a resource book for women and children", an invaluable source of information and support.

PERUVIAN EARTHQUAKE COLLECTION, sponsored by the UNSCV at the request of a group of concerned UNOV staff members. A total of ATS 31,500 was collected in the VIC to relieve the victims of this natural disaster in Peru. This sum was remitted to a bank account opened for this purpose by the Peruvian Embassy to be channelled directly to the most affected areas.

CAMILLIAN ORDER LEPERS' HOSPITAL AND SCHOOL (Vientiane, Laos). The Council donated ATS 15,000 towards the building of a school for the children of leprosy patients and the training of specialized teachers in a lepers' village created and cared for by the Camillian missionaries, a Roman Catholic order active in social work in the Third World.

SOS KINDERDORF, the Austrian-conceived children's villages designed to provide a home and education to neglected children in over 130 countries, has received support from the UNSCV since 1994 through the donation of the proceeds from the annual VIC Christmas Exhibition organized each year by the UNOV Staff Services Officer, Mr. Mario Jordan. In 2001, the contribution amounted to ATS 40,810.

UN STAFF RELIEF COMMITTEE FOR THE VICTIMS OF THE TERRORIST ATTACK ON THE CITY OF NEW YORK. The Council made a donation in the amount of US 5.000 this fund in response to the UN-wide campaign to show solidarity and provide material help to the victims' families in the wake of the unprecedented tragedy caused by international terrorism.

KOTO (KNOW ONE, TEACH ONE) RESTAURANT AND VOCATIONAL TRAINING CENTRE (Hanoi, Vietnam), a project designed to provide street youngsters aged between 16 and 22 with educational and work opportunities, was awarded a donation of ATS 20,000 towards the lease of the premises for its new training centre, which at present accommodates 32 trainees.

The UNSCV also supported and actively participated along with the Staff Councils of the other Vienna-based organizations in the following initiatives:

ACCRA SPORTS STADIUM DISASTER FUND COLLECTION, to provide relief to the families of victims of the Accra football stadium disaster, which claimed over 130 lives in the capital of Ghana.

HILL PREPARATORY SCHOOL COLLECTION towards fees and equipment for handicapped students of this school in Uganda, a Vienna International School initiative supported by a collection in the VIC Rotunda which raised the sum of ATS 18,131.10 ATS.

WORLD AIDS DAY COLLECTION. As in the past, the Council cooperated with the VIC Joint Medical Service and the other Staff Councils of the VBOs in making this yearly campaign a success by helping to raise a total of € 4,423.92, which was distributed equally between Buddy Verein and AIDS Hilfe, charitable organizations devoted to the fight against AIDS and the care of patients.

ROTE NASEN CLOWNDOCTORS' FOREIGN COIN COLLECTION, a campaign to support the elderly in hospitals by collecting leftover EU coins just prior to the transition to the EURO up to the end of January 2002.

Adam this is your version edited by Jean:

WORLD AIDS DAY: The Staff Councils of the Vienna-based Organizations in cooperation with the VIC Joint Medical Service, marked World AIDS Day, on 3 December, by distributing information materials, showing videos and handing out red ribbons to staff in the VIC. The collection of donations was a complete success, with a total of some € 4,4213.92 or ATS 60,874.47 taken, representing a considerable increase over the previous year, thanks to the efforts of volunteers from UNOV, IAEA, UNIDO and CTBTO. Equal shares were transferred to two charities (AIDS- Hilfe and Buddy-Verein) that are involved with HIV/AIDS prevention and care work.

DIALOGUE AMONG CIVILIZATIONS THROUGH POETRY

With the support of the Staff Council, a committed and enthusiastic group of UNOV/ODCCP and IAEA staff members, poets from Labyrinth (the Viennese association of English-language writers) and other local poets, a multilingual poetry reading took place at the VIC on 29 March 2001 to highlight the United Nations Year of Dialogue Among Civilizations. The General Assembly declared the year an opportunity to foster tolerance, respect and cooperation among peoples. With this activity, the VIC staff joined in the initiative launched in New York by the Secretary-General's Personal Representative, Mr. Giandomenico Picco, and echoed in 200 cities throughout the world and in a number of international territories.

The poems read ranged from pieces by well-known authors from the respective linguistic traditions to original compositions by some of the staff members and local poets. After two very dynamic hours, the highly receptive audience that filled the press briefing room begged for more! Since it was time to get back to work, it was decided, by popular demand, to organize a second round of the Dialogue Among Civilizations Through Poetry some time in the future.

ASBESTOS REMOVAL

The Staff Council continued to follow developments relating to the project to remove asbestos from the VIC buildings, through its Working Group on Occupational Health and Safety. Staff Council representatives attended meetings of the United Nations Asbestos Task Force and Technical Sub-Committee as observers, and were in regular contact with other VBOs, as well as Buildings Management.

Under the current plans, the asbestos will be removed from a few floors at a time, with a one-floor buffer above and below the removal area. Staff will be housed for roughly three months, on a rotating basis, in temporary office “containers”, which the Austrian authorities have installed next to the VIC. All staff were invited to inspect the containers and found them to be roughly similar to our present work space. An Austrian contractor, “IC Consulanten”, has been selected to carry out the asbestos removal project. Implementation of the project is expected to commence in mid-2002, slightly behind schedule.

Charles input

The Staff Council continued to follow developments on the project to remove asbestos from the VIC buildings. Staff Council representatives attended meetings related to the United Nations Asbestos Task Force as observers.

Asbestos removal in A, B, D and E buildings is tentatively scheduled to start in June 2002, although a further delay is possible. Removal will start at the top floors of each building and work downwards, and staff members in four floors will be relocated at any given time. As a general rule, each staff member will be housed for roughly fifteen weeks, on a rotating basis, in temporary office containers. These container buildings have been installed next to the VIC. An accelerated removal process is planned for some floors, such as E-14 (Director-General’s floor) and E-15 (ODCCP Drug Laboratory). The Staff Council understands that all relevant Austrian law will be applied to the asbestos removal project.

L. VIC CATERING

During 2001, CATAC met only three times, twice in May and once in December. A fourth meeting, which had tentatively been scheduled for late September failed to take place. The following paragraphs outline what occurred in CATAC during 2001 from the perspective of a UNOV staff representative, albeit one who attended only two of the three meetings.

CATAC meetings seem to have been called last year mainly to approve price increases.

Unfortunately, what did not take place at CATAC last year was constructive discussion of the numerous complaints concerning the quality of products and service, let alone any positive adjustments in response.

In fact, one could almost see the cancellation of the CATAC meeting tentatively scheduled for late September as a response by the Chairperson to a letter of concern sent by the Director^l General of IAEA to the Director^l General of UNIDO on 9 September, attaching a letter from the President of the IAEA Staff Council, with a petition regarding the VIC Catering Service signed by about 1,100 IAEA staff members. The fact that more than half of the IAEA's Vienna^l based staff (constituting nearly a third of the total regular VIC staff) had signed the petition certainly called into question whether the quality of the food offered by the caterer is of the 'highest quality and best value' as required in Section 8.01 of the contract. Perhaps the Chairperson had wanted to give UNIDO and its contractor time to solve problems and/or prepare a proper response.

However, there were no signs of positive developments, in that direction. Thus, one month after the Director^l General of IAEA, the Director^l General/Executive Director of UNOV/ODCCP also wrote to his UNIDO counterpart that numerous complaints about the current caterer by the staff in the VIC and the permanent missions, as well as guests, had come to his attention, adding that the general consensus was that the quality of the food being served in the restaurant as well as the cafeteria had been deteriorating rapidly. As his IAEA counterpart had done earlier, the Director^l General/Executive Director asked his UNIDO counterpart to ensure that appropriate measures be taken to explore any viable solutions.

Instead of dealing with what was obviously the central issue, at least in the minds of clients of the catering service and the executive officers of the two largest organizations at the VIC, CATAC was asked in May to approve a 4% price increase, everywhere except (at the request of UNIDO management) in the restaurant, where, due to an earlier 10% price increase, no further price increase was proposed. Thanks to the "very persuasive" style of UNIDO's Director of General Services, CATAC agreed to the price increase, on the condition that it finally be provided a proper statement of accounts.

As can be imagined, especially our IAEA colleagues on CATAC expressed "concern that the agenda for the CATAC meeting on 4 December does not propose to discuss the outstanding issues from the last time, especially the accounts", noting further that, "the IAEA Staff survey sent to UNIDO is [also] not on the agenda."

The most dramatic development in CATAC in 2001 was the announcement, at the Meeting on 4 December, that the longtime Chairperson was resigning due to his reassignment to a UNIDO field office. As the operating organization, UNIDO traditionally has the right to appoint the Chairperson of CATAC.

The first meeting under the new Chairperson, held on 31 January 2002, portends a considerably more structured CATAC for 2002. Mr. Spina said how he wanted to proceed, distributed a revised list of members and agreed to a review of the

over 20 year old CATAAC terms of reference. Outstanding problems such as accounts for the years 2000 and 2001 would be tackled, and a response would be obtained from the UNIDO management to the IAEA staff petition and other complaints. In addition, recommendations by VIC Catering Service clients as forwarded through their CATAAC representatives, would be gathered, reviewed, forwarded, and followed up on constructively. The recommendations referred, inter alia, to improved quality and diversity in cafeteria fare, the possibility of placing microwave ovens for use by clients in the cafeteria and the possible opening of a fresh baked goods outlet somewhere in the F Building. The Committee would also take up the perennial issue of how to reduce losses of Catering Service crockery and cutlery would consider how the asbestos removal project would affect the Catering Services. The latter was not a burning issue, at least in terms of the facilities in the C Building and F Building, since neither was scheduled for asbestos removal before early 2004.

The UNOV Staff Council representatives on CATAAC ask all staff to send them copies of complaints or suggestions relating to any aspect of the catering operation. They will do their best to make sure that these are followed up on and/or implemented.

PROPOSED TUITION INCREASE AT THE AMERICAN INTERNATIONAL SCHOOL (AIS)

The administration of the American International School proposed a 30% increase in tuition for the school year 2002-2003, with additional increases of 6% for each of the subsequent two years. The United Nations education grant for Vienna is not sufficient to cover the current cost of the AIS. These proposed increases would make the school prohibitively expensive, thus jeopardizing the recruitment and retention of some Professional staff. On 22 January, after consultations with interested parents from both the UN and other communities, the Council brought the issue to the attention of the Officer-in-Charge, UNOV/ODCCP. As a result, the Officer-in-Charge sent a letter of concern to the United States Ambassador. At an AIS General Assembly, on 28 January 2002, the proposed tuition increase was rejected by an overwhelming vote of 428 to 39. At the time of this writing, the parents were preparing for a follow-up General Assembly, at which it was hoped a more reasonable budget would be adopted, incorporating inputs from all the stakeholders.

VENTILATION SYSTEM

. Staff have continued to be concerned about the ventilation system in the VIC. There has been a feeling that the air was stale and that the operating hours of the system ought to be increased to allow for the stale air to be fully removed from the premises at the end of the work day, to permit the circulation of fresh air on the following morning. The Council brought this concern to the Director, DACS, on 3 April 2001. The reply of 19 September 2001 indicated that the hours would be extended by half an hour to an hour. So, breathe deeply, colleagues!

ODCCP MANAGEMENT ISSUES

OIOS inspection of management practices in ODCCP

The Office of Internal Oversight Services is the United Nations office responsible for reviewing a wide range of managerial, fiscal and programme-delivery issues. It is headed by Mr. Dileep Nair, an Under-Secretary-General appointed by the General Assembly for a non-renewable five-year term. OIOS has four sub-units: the Auditing Unit, the Central Monitoring and Inspection Unit, the Evaluation Unit, and the Investigation Unit. Any reports compiled by OIOS staff are presented in a report by Mr. Nair that is submitted to the General Assembly through the Secretary-General. The Secretary-General is not permitted to modify the text of the reports in any way, but is permitted to provide his thoughts, comments, ideas, expression of support, etc. in his forwarding cover note to the General Assembly.

The 2000-2001 work plan of OIOS included three assessments of ODCCP: a follow-up review of recommendations made to CICIP in 1997, an in-depth review of CICIP and an in-depth review of UNDCP.

In an effort to be as efficient and economical as possible, Mr. Nair informed the Executive Director that his team would be coming to Vienna from 5 to 16 February 2001 to address all three issues at the same time. Mr. Nair has the authority to visit and inspect any office at any time he chooses.

In order for the inspectors to have as much information as possible on managerial practices in ODCCP, a survey was sent to 124 Professional staff members. OIOS made an effort to send the survey to all Professional staff in ODCCP. Those who did not receive surveys were excluded, not by intention, but due to technical or electronic mail difficulties. Replies were received from 53 staff members (43%). In the experience of OIOS, this represents a very high rate of return. The normal of return rate is between 5 and 10%.

In addition to the OIOS team, external auditors are mandated by the General Assembly to carry out independent management audits in all United Nations bodies. A team of auditors from the United Kingdom visited UNOV/ODCCP twice in the past year. The external auditors are rotated every five years. In June, the present group will end their term and be followed by a team from France.

February: Working groups

In February 2001, three ad hoc working groups were established to review ODCCP management practices. These working groups examined organizational functions and structure, delegation of authority and communication.

With no terms of reference given for the working groups, no provision for the inclusion of General Service staff, and no opportunity for the Council to meet and give adequate thought to its role, it felt disadvantaged. The reaction of the Council was shared by other participants who felt the groups were convened with undue haste. Nonetheless, the results of the working groups seemed to represent the start of a process of reform.

June: OIOS report issued

On 1 June 2001, OIOS issued its report on the inspection of programme management and administrative practices in ODCCP, as General Assembly document A/56/83. The report was devastating by United Nations standards. The report noted the “highly centralized and arbitrary manner in which the Office was run by the ED. The management style concentrated authority and decision making in the ED and his front office without sufficient checks and balances.” The report went on to note that the “role of ODCCP as a centre of expertise could not be fulfilled without a free exchange of views, discussions and the involvement of staff in decision-making.” The ED and his senior managers were urged to “institute drastic and immediate change.”

Creation of the Advisory Group

In June 2001, an Advisory Group was established to oversee the implementation of the recommendations and to consider other measures that could bring structural and administrative improvements to UNOV/ODCCP. The Staff Council expressed its reservations about the restricted composition of the group (no female, junior or GS staff) and the vagueness of the terms of reference. However, the Staff Council, once again, and in good faith, supported the work of the Advisory Group, with the understanding that its deliberations would be respected and taken seriously by the DG/ED. With the support of the Staff Council, the President agreed to participate in the deliberations of the group in his personal capacity. The President made it very clear to the Advisory Group that he would not support proposals or decisions which might jeopardize the contract status or conditions of service of the staff and that he expected that information from the Group would be shared with the staff at large.

The Group applied a two-part strategy, beginning by reviewing all the relevant reports and listing all the recommendations they contained. The programme managers responsible for implementing or following up on each recommendation were identified, and all were asked to provide, by the end of the month, an honest assessment of what had been done and what still needed to be done, with a proposed time-frame.

The second part of the strategy considered of looking at the organizational structure, as recommended by OIOS. Firstly, it sought to identify and eliminate organizational

weaknesses. At the same time, taking as its starting point ST/SGB/1998/17, Organization of the United Nations Office for Drug Control and Crime Prevention, the Group considered to what extent the intended closer collaboration between the crime prevention and drug control programmes had been achieved, and what structural adjustments could be made to promote further synergies while preserving the identities of the individual programmes. The Advisory Group, as instructed by OIOS, made its recommendations within existing resources and in keeping with the authorized staffing table.

September: Status report of the Advisory Group

On 5 September 2001, the Advisory Group prepared a status report for review by the DG/ED. The status report reflected the results of the two-part strategy referred to above, and included a statistical table on the status of implementation of all the recommendations. The statistical table was divided into three categories: fully implemented, ongoing and not implemented. The Advisory Group felt that this statistical information would be a useful indicator for the DG/ED, the staff at large and Member States for charting the implementation of the recommendations.

The Advisory Group also prepared an implementation plan, dated 3 July, for the structural and administrative improvements to UNOV/ODCCP. That implementation plan was shared with the DG/ED. The first phase, review and preparation of proposals (1 July through 15 September), provided an opportunity for the Executive Director or Deputy Director-General to apprise the Staff Council of those proposals and discuss them with it. The Deputy Director-General, in his capacity as Chairman of the Advisory Group, briefed the Staff Council at its meeting in 9 August. Because the DG/ED had offered no comments on the preliminary report of the Advisory Group, that briefing, while appreciated, lacked the specificity which would have allowed the Staff Council, and subsequently the staff at large, to consider themselves an integral part of the reform process. The first phase was also to include consultation with OIOS before finalization of proposals by 15 September. It is not clear whether those consultations took place.

DG/ED presents report to Member States, OIOS and senior staff

On 13 September, the DG/ED presented a report based on the submission of the Advisory Group, addressed to the permanent representatives to the United Nations in Vienna. In addition, that report was distributed to ODCCP staff at the P5 level and above and to OIOS. The DG/ED asked that the senior staff share the report with their staff. What was not conveyed to the senior staff was the fact that the Director-General had modified the report of the Advisory Group in such essential ways as to undermine its honest effort to improve the working conditions in Vienna.

The Staff Council had been operating under the understanding that it was the role of the Advisory Group to provide the DG/ED with advice which he could choose to incorporate or reject in his efforts to comply with the recommendations of OIOS. Nevertheless, the Staff Council recognized the Advisory Group would have had a unique opportunity to

delineate the lines of command clearly and to make the work of the programme manageable.

Given the serious reservations described above, and after seeing the lack of commitment on the part of the DG/ED to the introduction of meaningful change in the context of the OIOS recommendations, the Staff Council decided, at its meeting on 20 September, that the President should suspend his membership in the Advisory Group.

Advisory Group: Round 2

In reaction to the above suspension and to the uncertain future role of the Advisory Group, a meeting was convened between the Director-General/Executive Director and senior managers, the Staff Committee and ODCCP staff representatives on 31 October 2001.

As a result of that meeting, on 6 November, by way of an electronic mail message to all staff, the Director-General/Executive Director created the Advisory Group on the Review and Monitoring of Recommendations by OIOS and the Board of Auditors. The terms of reference and composition of that Group were prepared in close consultation with the Staff Committee and were shared with staff at large. The primary function of the Group was to submit an updated draft status report to the Director-General/Executive Director by 19 November 2001, clearly showing the status of implementation of each recommendation as fully implemented, ongoing (with target date for completion) or not implemented (with justification).

The significant difference in the working of this Group, as compared to that of the Advisory Group that met over the summer 2001, was that staff would have an opportunity to provide input to the status report. In an entirely new approach first proposed by the Treasurer of the Staff Council, the Director-General/Executive Director and the staff at large would receive the draft report simultaneously. The staff were permitted to offer their comments to the Staff Council for consolidation and review by the Group. Based on its evaluation of comments received from staff, the Group was asked to revise its proposals to the Director-General/Executive Director, who would then decide on action to be taken and would inform staff of the reasons for decisions which might be different from the Group's proposals.

On 3 December, the Director-General/Executive Director forwarded the status report to OIOS, the Board of Auditors and to the staff at large. He noted that the report was balanced and objective and that all the parties concerned would be able to acknowledge the progress made. At the time of this writing, OIOS has not, to the knowledge of the Council, commented on the status report.

UNITED NATIONS INTERREGIONAL CRIME AND JUSTICE RESEARCH
INSTITUTE (UNICRI)

UNICRI Headquarters, after years of delay, at last moved from Rome to its new premises in Turin back in May 2000 but the staff continue to face a situation of uncertainty. The hope that the contractual status of staff would be regularized has failed to be realized. Despite promises year after year, in fact since 1994, to date no firm contractual policy has been implemented. Both in 2001 and also for 2002, one-year fixed-term contracts are still being offered, and as in the past, at the end of a contract, at the end of a contract, there is no expectation of renewal, as is in fact stated also on the contract itself.

In 2001, as in 2000, once again partly as a result of the move from Rome to Turin, three UNICRI staff members (2 Professionals and 1 General Service) left and have not been replaced. As a result, the already small number of staff has further diminished, to a total in early 2002 of only six professional and two general service staff. This compares to a UNICRI staffing table in January 1994 that comprised more than 30 staff members. Although some of the workload previously carried out by staff who had served UNICRI for a number of years is now being taken care of (owing to budgetary constraints) by ad hoc individual contractors, nonetheless, the reduction has once again meant that the remaining staff (who, unlike to individual contractors, have the requisite background) have to shoulder a much heavier workload, including providing the training needed to enable the individual contractors to carry out their tasks.

In all the past years, the staff of UNICRI has repeatedly called for the adoption and consistent application of a firm contractual policy, whereby both Professional and General Service staff would be offered at least two-year fixed-term contracts, the introduction of a structured career development system, including job training, as well as a comprehensive post-classification scheme and the improvement of consultations between management and staff. To date, none of this has been implemented.

JOINT ADVISORY COMMITTEE (JAC)

During the reporting period, three meetings of the Vienna Joint Advisory Committee took place, on 19 June 2001, 3 July 2001, and 13 December 2001. In addition, one joint UNIDO/UNOV JAC meeting, devoted to health insurance matters, took place on 13 December 2001.

The JAC represents the highest level staff-management consultative body in UNOV/ODCCP. The general atmosphere in the JAC has been extremely cooperative, productive and professional. The Committee has endeavoured to discuss issues in smaller working groups outside the formal setting of meetings. As a result, meetings have been focused and efficient. This has allowed the meetings to function largely as an adoption mechanism rather than as a discussion forum. In addition, the Staff Council is grateful to the Administration for providing the services of one of its staff to serve as secretary of the JAC. This arrangement has allowed for a consistent flow of detailed information to all members.

LATERAL REASSIGNMENT OF STAFF IN THE PROFESSIONAL CATEGORY AND ABOVE

The JAC noted that new policies on mobility were being proposed for introduction in the Secretariat as part of the Secretary-General's reform of human resource management. In the meantime, although the Director-General/Executive Director did have the authority to move staff laterally, the JAC felt it necessary to introduce a local mechanism to oversee lateral moves. The purpose of the proposal was to introduce greater transparency into the process and to give staff at the level of the post concerned in each case the opportunity to express their interest. On 1 November 2001, an office instruction was signed into effect by the Director-General/Executive Director.

ABOLITION OF THE UNOV/ODCCP DEPARTMENTAL PANEL FOR STAFF IN THE PROFESSIONAL CATEGORY

The JAC noted that it had, in 2000, abolished the Departmental Advisory Panel for General Service, Staff since that body considered the same material reviewed by the Appointment and Promotion Panel. In the case of Professional staff, the JAC determined that a similar duplication of effort and procedure existed. In addition, the attention of the JAC was called to the intention of the Secretary-General to reduce the appointment and promotion machinery to a single central review body. The JAC therefore agreed to abolish the UNOV/ODCCP Departmental Panel for Staff in the Professional Category up to the P4 level for posts funded from the regular budget and up to the D1 level for ODCCP extra-budgetary posts.

A. FILLING OF VACANT POSTS

The Administration felt it necessary to clarify some issues surrounding the filling of vacant posts. The JAC therefore endorsed the issuance of an information circular to consolidate the Staff Rules on this matter. In particular, the information circular emphasizes that there should be no expectation of renewal of appointments of temporary staff (i.e., those whose appointments had not been subject to the normal competitive process) beyond 11 months. Because of lax application of the rules in the past, there are some 27 staff members whose appointments have not been approved by the appointment and promotion bodies, but who nevertheless have more than 12 months of continuous service. The JAC agreed that those 27 staff members would be considered as internal applicants for posts advertised internally during the remainder of their contracts.

TERMS OF REFERENCE AND RULES OF PROCEDURE OF THE ADVISORY COMMITTEE ON THE CHILD CARE CENTRE

The Council, in cooperation with the Councils of the other VBOs, was involved in the expansion and funding (through the Staff Welfare Board) of the Child-Care Centre. The expanded Child-Care Centre was opened on 30 August 2002. The Centre can accommodate some 150 children aged between 3 months and 6 years.

The management of the Child-Care Centre is entrusted to a joint staff-management advisory committee of the VBOs under the leadership of the International Atomic Energy Agency. The Agreement between the International Atomic Energy Agency and the Municipality of Vienna for the Provision of Services in Connection with the Operation and Staffing of the Child-Care Centre at the Vienna International Centre in Vienna, Austria, of 2001, is the basis for the operation of the facility in the VIC. In September 2001, the Advisory Committee discussed, prepared and agreed on terms of reference and rules of procedure. The UNOV/ODCCP JAC endorsed both documents at its meeting on 13 December 2001.

FLEXIBLE WORKING HOURS

The rules governing the flexible working hours (FWH) scheme in Vienna were put into effect, on a provisional basis, in December 1993. At the end of 1998, questionnaires on the system were circulated desk to desk. A JAC working group was formed to assess the results of the survey. The working group met in 2000 and determined that there was overwhelming support for the flex-time scheme in UNOV/ODCCP.

As a result of the working group's report and the discussions in the JAC, it was agreed that the administration would draft detailed guidelines on flexible working hours. However, owing to concerns raised by the OIOS auditors during their visit that draft was delayed. In an effort to confer greater authority on the formalizing of the scheme, the matter was raised at the XXVth session of the Staff Management Coordination Committee (SMCC), as described below in section..., where it was endorsed as consistent with the Secretary-General's "work/life" agenda. The JAC intends to finalize the draft circular in the first quarter of 2002.

SOCIAL SECURITY AGREEMENT

The IAEA's Legal Office has negotiated a new social security agreement with the Austrian Government. It seems that IAEA has successfully negotiated a number of conditions which are favourable to staff, particularly the terms under which certain staff can buy back time in the Austrian pension scheme corresponding to the period they have been in the UNJSPF. This is an arrangement that would appeal to UNOV/ODCCP staff, as might other options not now available to them.

The Staff Council, with the support of the JAC, brought this matter to the attention of the Legal Liaison Officer on 14 February 2001. After careful study of the issues, the Legal Officer, with the assistance of a legal consultant, presented to the JAC the key elements

for a possible negotiation with the Host Government. It is expected, after some additional discussions in the JAC, that the negotiations will take place in the first quarter of 2002.

JOINT UNIDO/UNOV JAC ON HEALTH INSURANCE

. The UNIDO and UNOV JACs met on 13 December 2001 to discuss group medical insurance issues emerging from the findings of the Joint Standing Committee on Health and Life Insurance. Unanimous agreement was reached on the premium adjustment increase of 4.1%, which was mandated by the provisions of the contract with Van Breda.

In addition to the premium adjustment increase, the Standing Committee also reviewed the possibility of introducing a long-term care provision and fitness club coverage. Although the UNSCV supported the inclusion of a long-term care feature in the Van Breda coverage, the Administration required additional time to study the full cost implications. The inclusion of fitness club coverage was rejected by all parties, as the benefit was too restrictive and would only allow for certain documented physical fitness activities for a small minority of staff and was considered expensive at a time when other increases had to be absorbed by staff.

COORDINATING COMMITTEE FOR INTERNATIONAL STAFF
UNIONS AND ASSOCIATIONS OF THE UNITED NATIONS SYSTEM
(CCISUA)

The seventeenth Annual Assembly of CCISUA was held from 11 to 15 February 2002 in New York. That meeting and previous and subsequent discussions and actions addressed the issues outlined below. Briefly stated, membership in CCISUA above all allows UNOV/ODCCP a voice in the deliberations of the International Civil Service Commission (ICSC).

The agenda of the annual Assembly of CCISUA included, *inter alia*, the revitalization of CCISUA and follow-up on various SMCC issues, such as the reform of the internal justice system, staff mobility and contractual arrangements. In addition, CCISUA discussed a unified personnel structure and heard statements from the Deputy Secretary-General and the Chairman of the International Civil Service Commission.

A great deal of time was spent addressing ways and means of improving the functioning of CCISUA. The Assembly reached agreement on the following points:

The President will strive to communicate frequently with the membership;
The Bureau will prepare a resolution for adoption by the Assembly to request the Administration to reinstate the post of CCISUA research officer;
The Bureau, after discussion with the membership, will designate responsibilities for each duty station;
The Bureau will develop responsibilities (terms of reference), for all members of the Bureau and communicate them to all members of CCISUA;
The Bureau will develop mechanisms to interact with unions whose internal difficulties create problems for the running of CCISUA;
With regard to staff-management relations at individual duty stations, it was decided that CCISUA would take note of the concerns of the staff union in question, express solidarity with it and provide advice and follow-up on the issues, as appropriate.

The CCISUA Assembly also adopted a clear and financially sustainable programme of work that included participation in the meetings of ICSC (e.g., review of the pay and benefits scheme in the United Nations system) and of the High Level Committee on Management, as well as attendance of professional conferences on human resource management.

In addition to preparing policy statements on the substantive issues on the agenda, CCISUA also struggled with the issue of the very strained staff-management relations following SMCC-XXV (see section ??? of this report). After extensive deliberations, CCISUA decided, at the request of the staff representatives who had been present at SMCC-XXV and who were also present at the Assembly, to submit to the Secretary-General a vote of no-confidence in the SMCC and in its President's ability to ensure an objective and complete incorporation into its report of the ideas and interventions of all the parties and of the agreements reached. The Assembly was of the opinion that the calibre of the interactions in SMCC had deteriorated to such an extent that its utility as a consultative body was seriously compromised. Each independent staff union agreed to follow up this vote of no-confidence with a similar statement to the Secretary-General, in

an effort to encourage him to find mechanisms to improve this essential element of his human resource reform agenda.

REPRESENTATION AT ICSCB. REPRESENTATION AT ICSC

During the reporting period, the International Civil Service Commission (ICSC) continued its deliberations on the following matters: review of the pay and benefit system; conditions of service of the Professional and General Service staff; draft standards of conduct; post adjustment for the Professional categories and salary survey for the General Service category of staff; common scale of assessment; evolution of the margin between salaries in the US Civil Service and those in the UN; and review of the methodology for fixing children's allowances and education grants. Issues in respect of which there has been direct action of relevance to UNOV/ODCCP are noted below.

Post adjustment for staff in the Professional and related categories

The ICSC has the responsibility, granted by the General Assembly, to regulate and coordinate the periodic salary surveys at all duty stations. Such a survey for Professional and related categories was conducted in late 2000.

The Staff Council was an active member of the VBO committee implementing the place-to-place survey for staff in the Professional and related categories. As a result of that survey, it became apparent that the ICSC had calculated housing costs in Vienna in a manner financially detrimental to Professional staff. Consequently, in a VBO meeting on the matter, the UNSCV President recommended that an expert consultant be hired on a cost-shared basis by the VBO Administrations and Staff Councils to prepare a joint paper for consideration by the Advisory Committee on Post Adjustment Questions (ACPAQ). In the end, the Agency Administration graciously provided payment for the consultant. As a result of the survey, Professional salaries were increased by nearly 10% in terms of net pay in summer of 2001. Indeed, this can be regarded as a great achievement by all the parties concerned.

Local salary survey for staff in the general service and related categories

At the time of this writing, the ICSC is in the process of conducting the fifth round of the salary survey for staff in the General Service and related categories in Vienna. In the preparation phase, a Local Salary Survey Committee (LSSC) under the lead of the IAEA was formed. Administration and staff were equally represented on the Committee. The Committee started its work in the late autumn of 2001 and concluded the work for the first phase in January 2002.

The ICSC calls for specific criteria to be met and for a particular methodology to be followed. To this end, the Committee adopted a systematic approach during the first phase of the exercise. Working groups were established with specific tasks comprising

the revamping of generic job descriptions, adaptation of the questionnaire and the survey of companies and the work environment as a whole, in Vienna today.

The working groups met separately, but their findings and proposals were regularly brought before LSSC for discussion. Once a common ground had been established, the proposals were accepted. The end result incorporated 16 adopted generic job descriptions, a nine-page questionnaire consisting of two parts and a list of 32 Vienna-based companies to be surveyed. These proposals have been sent to ICSC for review in phase 2. ICSC will consider the proposals and issue a letter of invitation to the companies selected to be surveyed.

The final phase, scheduled to take place in the early spring of 2002, involves an interview team composed of one member each of ICSC, the Administrations and the staff representatives, who will visit the companies to carry out the final collection of data. The findings will be collated and submitted to ICSC by the ICSC secretariat. The outcome is expected to be known by the end of the summer of 2002. Let us keep our collective fingers crossed for a success similar to that achieved in the Professional salary survey!

Appeal on the 4 per cent language factor for GS staff

At the time of the 1996 GS salary survey, ICSC decided that the language factor, which had previously been added to GS salaries in recognition of the fact that the local language at our duty station was not an official language of the United Nations, should be abolished.

The UNOV/ODCCP staff submitted a class-action appeal to the UN Administrative Tribunal on 28 April 1999. Staff of the International Atomic Energy Agency filed a similar appeal with the Administrative Tribunal of the International Labour Organization. The Agency's appeal was not successful. At the time of this writing, and after a lengthy delay, no reply has been received from UNAT with regard to the UNOV appeal.

STAFF/MANAGEMENT COORDINATION COMMITTEE (SMCC)

SMCC XXV

B.

The XXVth session of the Staff-Management Coordination Committee was held from 4 to 12 October 2001 in New York. The agenda was largely a carryover from the previous session and focused on the Secretary-General's proposed human resource management reform, which comprised accountability; selection of staff, including mobility issues; and contractual arrangements. Other agenda items relevant to UNOV/ODCCP staff included the reform of the internal justice system and revisions to the Performance Appraisal System

Accountability

At SMCC XXV, the President of UNSCV pointed out that accountability continued to be recognized as a primary element in human resource management reform. Staff in Vienna were cautious about increased delegation of authority to managers, and even fearful of it. There were several examples of abuse of authority by managers in Vienna, as evidenced by the reports of the Office for Internal Oversight Services. The idea of providing additional authority to managers who had not demonstrated managerial skills nor a consistent application of the Staff Rules was worrisome, indeed.

As a result, UNSCV proposed that SMCC-XXV work to develop and promote a strategy for implementation of the managerial core competencies. Managers who did not exhibit or adhere to those competencies should not be assigned supervisory roles.

Selection of staff, including mobility issues

Both staff and management acknowledged that the UN's system of recruitment, placement and promotion is cumbersome and inefficient. As a starting point for the discussion on this agenda item, UNSCV asked SMCC-XXV to refer to the management submission entitled, "Elements for administrative issuances to govern the new system of recruitment, mobility and promotion" (hereafter referred to as the "draft elements"). UNSCV recognized that the draft elements were a first attempt on the part of the Administration to give effect to the recently adopted General Assembly resolution

55/258. In this context, UNSCV commended the administration for its efforts in respect of this challenging and multilevel task.

On the issue of the Central Review Board, (CRB) UNSCV assisted in the drafting of the text below, which is would likely to find its way into an administrative issuance:

The CRB is a new joint mechanism established under new Staff Rule 104.14 to review the selection process for compliance with the pre-approved selection criteria and to offer recommendations. The CRB will examine the recommendations of the programme manger, including the process to those recommendations. The CRB makes recommendations to Heads of Departments/Offices as to whether the proposed selection decision by the programme manger is reasoned and objectively justifiable based on pre-approved selection criteria; as to whether there was a mistake of fact, a mistake of law, prejudice or improper motive which could have prevented a full and fair consideration of the requisite qualifications and experience of the candidates; and as to whether it takes into account the Organization's human resources planning objectives (e.g. gender, geography and revitalization, etc.). In the case of a dispute/disagreement between the CRB and the Programme Manager, both recommendations would be referred to the manager and/or sent to the decision maker. The decision maker should give due consideration to the recommendation of the CRB. Managers should submit, whenever possible, more than one name to the CRB.

On the issue of seniority, the Administration had proposed a complete abolition of the notion. After some debate, and with input from UNSCV, it was agreed that the time-in-grade eligibility criteria hitherto formerly in use would no longer be required. However, experience, knowledge and institutional memory relevant for the job must be considered as part of the personal contribution of the candidate to the achievement of the goals of the Organization, and would therefore be an important element of the selection criteria.

While acknowledging the desirability of all of the goals stated in the draft elements, the general concerns of UNSCV on the mobility proposals, in particular, were that:

The proposed system appeared overly complex and its ability to produce the "speedier, more transparent process" mentioned in article 2.8 was very questionable. If the current system was not speedy enough or sufficiently transparent, increasing its complexity would not achieve the goal of making it so;

The proposed system was potentially unworkable where mobility was mandated, not only because of the increased demand that would be placed on existing personnel services, the logistical difficulties (bearing in mind the need to consider not only appropriate qualifications but also gender balance and equitable geographical distribution) and the likely significant increase in costs associated with moving potentially large numbers of staff members between posts (on the assumption that not everyone would be able to find a suitable position within the same duty station, except perhaps in New York and Geneva), but also because of the difficulty of initiating the transition to a system which

would require large numbers of people to move regularly. So, for example, before a staff member could move, someone else would need to have moved first;

The draft elements failed to take sufficient account of specialized units where it would be difficult, if not impossible, to use that specialization elsewhere or to find a position where it might be relevant;

The goals of versatility and multi skilling, and mobility between functions and occupations appeared to run counter to the often very specialized knowledge required for some UN posts (e.g., language and interpretation staff at both the P and the GS levels);

The movement of staff across functions and occupations might result in lowered performance and accountability if staff felt that they did not have a “stake” in the work of their office;

The draft elements would have a potentially significant impact on staff members with families in posts where no suitable positions were available for transfer except at another duty station, since spouses might have jobs which did not allow for mobility, and families might have purchased homes and have assumed schooling commitments. Earlier proposals of the Administration had made mention of “work/life issues.” UNSCV felt it essential that they be reintroduced into the debate;

The increased recruitment and transfer activity would likely place significantly increased burdens upon the review process, unless it was envisaged that dedicated, fulltime staff members would be assigned to the functions concerned;

The draft elements did not adequately acknowledge the contribution of General Service staff to the work of the Organization. While UNSCV appreciated that, logistically, it was reasonable to limit applicability of the draft elements to staff from the G-5 to D-2 levels, many lower-level GS staff in Vienna felt that their opportunities for career advancement were an organizational afterthought, at best.

With these general comments on the table, UNSCV proceeded to link its concerns to both the spirit and the letter of General Assembly resolution 55/258. Neither, we surmised, had been sufficiently addressed. As a result, we called for the establishment of an SMCC working group which would be entrusted with studying the details and the costs of a Secretariat-wide mobility scheme. However, that proposal was rejected, due, it appeared, to an eagerness on the part of the Administration to press ahead with its agenda.

Contractual arrangements

Management offered proposals aimed at providing a more responsive match between the Organization’s operational requirements and the contractual status of staff. The

underlying principle of the new approach to contracts was that they would be simple, flexible and equitable.

There was no consensus by staff representatives on the management proposal regarding the elimination of permanent contracts and their replacement by continuing contracts. However, both parties agreed that the current issuance of permanent contracts was governed by decisions taken by the General Assembly. In the GA discussions, a few Member States had voiced support for the continuation of permanent contracts. Many had agreed that the situation of all staff on fixed-term contracts needed to be improved and voiced support for an indefinite or continuing type of appointment.

On this issue, the UNSCV delegation made the following points at SMCC XXV:

UNSCV believed that the great majority of UNOV/ODCCP staff currently holding fixed-term or short-term contracts would benefit from the introduction of continuing contracts. It offered the following suggestions and concerns which would need to be recognized in order for UNSCV to endorse the introduction of continuing contracts.

The probationary period for staff on fixed-term contracts awaiting conversion to continuing contracts should be two years. That period of time would seem to be sufficient for both the staff member and the Organization to make determinations of suitability. In addition, a two-year period would be consistent with the probationary periods for other incoming staff (e.g., staff appointed via the National Competitive recruitment examination NCRE).

The notice period for termination of a continuing contract should be fixed at three months and the letter of termination must be accompanied by detailed explanatory documentation.

The broadest definition of “continuing functions” should be used when making a determination as to what posts would be considered for continuing contract status. A narrow definition of continuing functions might simply limit such contracts to obvious posts such as those in administration. In ODCCP, for example, several staff performed ongoing tasks that were not administrative in nature (e.g., laboratory scientist, publications manager, drug and crime research officer, etc). It would be unfair not to grant such staff the benefits of continuing contracts. Moreover, not to grant those staff continuing contracts would produce yet another division among staff (i.e., administrative versus substantive).

Toward the end of the debate on the matter, it became clear that the administration intended to introduce continuing contracts without any reasonable protective measures in respect of termination of contracts, such as existed in the case of permanent contracts. UNSCV could not support this unreasonable proposal, but did offer to work with the administration in the drafting of some protective clauses, perhaps along the lines of Staff Regulation 9.1 (a) of Chapter IX: Separation from Service.

Reform of the Internal Justice System

The need to reform the United Nations Internal System for the Administration of Justice has been recognized to a greater or lesser degree by the UN staff at large, the Administration and the General Assembly. SMCC established a working group of staff and Administration representatives to consider measures which might be undertaken to address this need and to report of its findings. The working group was able to convene its first meeting from 26 February to 2 March 2001. It was acknowledged by the group at the outset that the existing internal justice system was cumbersome, often intimidating, inadequate for staff away from Headquarters, lacking in professionalism and litigious rather than conciliatory. At the conclusion of the meeting, while there were a number of issues upon which staff and management representatives had not been able to reach consensus, broad agreement had been achieved on various key potential improvements.

The report of the working group, including the various agreed recommendations indicated above, was considered and endorsed by SMCC XXV.

With a view to encouraging staff members to participate in and utilize the various mechanisms for the administration of justice, the working group agreed that:

The contribution of staff members who volunteer to serve on the various bodies should be fully and expressly recognized, including in their performance evaluations; and

A specific reference should be added to the rules (either embodied in the Staff Rules or contained in an appropriate administrative issuance) stating that: (a) any attempt to unduly interfere in the proper establishment or proceedings of the bodies of the system of justice; or (b) any attempt to unduly influence an individual working in the system of justice in connection with his or her functions; or (c) any threat of retaliation against such individuals or against staff exercising their right to recourse constituted misconduct and would not be tolerated.

The working group agreed that increased training and access to information relating to the administration of the system of justice would significantly improve its functioning. Further elements of agreement in this regard, included the following:

Training should be a continuous process of capacity-building targeting panel members, managers, ombudspersons and staff at large. It should address due process, conflict resolution, staff rights, regulations and rules and legal matters in general, including the jurisprudence of the Administrative Tribunal;

Training programmes should be developed jointly and should be the result of a collaborative effort between management and staff, at Headquarters, offices away from Headquarters and field locations, and the views of the United Nations Administrative Tribunal should also be sought;

Information-sharing between field locations, offices away from Headquarters and Headquarters should be strengthened and the flow of expertise increased;

Training programmes in the field and at duty stations away from Headquarters should be designed in the light of the special needs of the particular locations;

Training should be targeted: individuals working in the justice system should receive specific training regarding their roles and responsibilities, including due process; managers should be trained regarding their responsibility in the proper application of the rules; and staff at large should be trained regarding their rights to recourse and protection;

New staff should attend induction courses which would present information on the justice system and the dispute resolution mechanisms available to them, including their due process rights;

Access to the web-site of the Panel of Counsel on the UNHQ Intranet (<http://157.150.196.1/poc/>) should be expanded and improved, either by placing it on the Internet or by giving wider access to the UNHQ Intranet, and the information presented there should be made available in as many official languages as possible;

A case digest of United Nations Administrative Tribunal judgements should be developed (along with structured indexes containing, for example, keywords, the names of applicants, the number of the judgement, the year of the judgement, etc.) and made accessible to all parties, including the various Staff Councils; and

The resources for training should be increased in order to ensure that all the above was done professionally and was given the weight it deserved.

The working group agreed on the importance of conducting administrative reviews, in light of their potential benefit for resolving issues before they erupted into full disputes. In this connection, it took note of the Secretary-General's proposal to the General Assembly that it should provide additional resources to the Administrative Law Unit so as to enable it to perform meaningful rather than perfunctory reviews, and it welcomed the Secretary-General's proposal concerning the delegation of authority to the Administrative Law Unit to settle appropriate cases. The working group also agreed that staff members requesting administrative review of their cases should receive such a prompt response and that the time-limits should be made uniform between Headquarters and offices away from Headquarters, in view of the availability of fax and e-mail services, etc.

During the discussion on administrative reviews, it was noted that not all requests for review challenged decisions that necessarily required a formal review. In some instances, a real dialogue between the staff member concerned and the decision-maker could be a preferable method of resolving the grievance at that stage. In this connection, the working group agreed that a formalized process of dialogue for resolution of grievances,

similar to the one being instituted by the International Labour Organization, might afford an effective mechanism in the United Nations.

The working group agreed that an ombudsman system should be instituted in the United Nations, based on the model already operating at the World Bank. However, it was noted that the World Bank model was a Headquarters based model, and it was agreed that it would be essential to adapt the system for application by the United Nations, so as to make it truly global and to enable it to service duty stations in all five regions. The same criteria should be used to select all the ombudspersons in this system, and they should all have the same status. It was further agreed that the ombudspersons should be assisted in field locations by designated facilitators.

In the interest of transparency, the working group agreed that the JABs/JDCs should submit annual/periodic reports which respected confidentiality but gave statistical information which would make it possible to monitor trends in the administration of justice. The working group also agreed the reports should be widely distributed, including to staff unions.

A great deal of discussion took place on the nature of decisions taken by JABs/JDCs, particularly with regard to their effect and treatment once they had been submitted to the Secretary-General. Unfortunately, consensus was not achieved on the various proposals submitted in this regard, and this is one of the topics which will likely be revisited in the future. The working group did agree, however, that an administrative issuance should be published which would codify the practice concerning acceptance of unanimous recommendations of JABs/JDCs. Such recommendations were generally accepted by the Secretary-General, provided that they did not impinge on major questions of law or principle, but that was currently nothing more than a matter of practice, not a rule.

With a view to increasing both the reality and the perception of impartiality and independence, the working group agreed that the JAB/JDC Secretariat should be removed from the Department of Management and placed in an organizational structure that would ensure separation of the lines of responsibility in management and in the administration of justice.

The working group agreed in principle that, in the interests of equal representation of both parties in the process, staff members should have free choice of counsel (including outside legal counsel). The Group noted that other organizations in the United Nations system have moved further in that direction, and agreed that the modalities for implementing similar mechanisms in the United Nations should be examined. However, the existence of diverging views on the source of funding of such counsel for staff was not resolved by the working group.

As noted above, in many cases, the agreements reached in the working group were on the fundamental aspects of particular issues, without elaboration of the details necessary to effectively implement the fundamentals in a practice. UNSCV noted that a great deal of

work still needed to be done in that regard, and such work should constitute a joint endeavour by representatives of both staff and management.

Therefore, UNSCV proposed that SMCC consider establishing a series of small staff / management task groups each of which would be assigned a particular topic to consider (e.g., nature, terms of reference and functions of the ombudsman; training and access to information; legal representation of staff), with a view to a more detailed elaboration of the fundamental agreements thus far attained. Each task group would have between two and four members (e.g., two staff representatives and two management representatives) and would conduct its activities in whatever manner might be agreed on as being most convenient to those members (e.g., meetings, e-mail correspondence, teleconferences). The groups would all report on their work to a standing SMCC Working Group on the Reform of the Internal Justice System, in which representatives from all duty stations might participate. This Working Group would convene a meeting in mid-2002 in order to review the reports and to develop any appropriate recommendations based upon the review. The recommendations would be forwarded to SMCC XXVI in 2002 for its consideration and endorsement.

UNSCV took the opportunity of SMCC XXV to request the Administration to support, financially and otherwise, the institution of a standing Working Group on the Reform of the Internal Justice System. It would be most unfortunate for the introduction of reasonable and sensible reform measures to be impeded by an unnecessary annual waiting period. This proposal, was accepted and, as a result, continued work on reforming the internal justice system is proceeding on an inter-sessional basis.

Revisions to the Performance Appraisal System

In response to the memorandum from the ASG/OHRM of 21 February 2001, and to the replies to the opinion surveys distributed by OHRM, an unofficial brainstorming session on the Performance Appraisal System (PAS) was conducted among interested members of the UNOV/ODCCP staff and Administration on 26 March 2001. Efforts were made to include members and former members of the various appointment and promotion bodies. UNSCV used the results of that brainstorming session as a basis for its interventions in SMCC XXV.

In general, the brainstorming group did not feel that the PAS required drastic revisions. Most concerns focused on inadequate and inconsistent implementation. The group felt that the PAS should be used for performance evaluation, work planning and the promotion of dialogue between supervisors and line personnel. It was considered to have limited value as a staff development tool.

Apart from this brainstorming group, the Staff Council has discussed PAS on various occasions throughout the year. Two significant weaknesses emerged: problems in the rating system; and limited, nonexistent or changing work plans.

Few managers or staff had a solid understanding of the meaning of the ratings. For example, could a rating of “3” in the Latin American Section of UNDCP possibly have the same meaning as a “3” in the Arabic Translation Section of UNOV? Consequently, what confidence could one possibly have in a comparison of ratings among duty stations, an issue which would take on greater significance in the context of mobility?

Even within offices, staff had little confidence in the comparability of the ratings. In addition, unnecessary competition was created among staff. Some offices experienced rating inflation. In some offices, it was felt that staff on extra-budgetary posts ought to receive higher ratings than these on regular budget posts, owing to their staff due to their lesser degree of job security. In view of these problems, UNSCV called on SMCC-XXV to consider the utility of the rating system, which it considered to have more flaws than benefits, and to be a possible candidate for abolition.

UNSCV stated at SMCC XXV that ODCCP had been plagued by frequent and unclear managerial and organizational changes. UNOV, as the support office in Vienna, had had to respond to those changes, thus experiencing a certain level of confusion. Staff in all the offices of UNOV/ODCCP had indicated that the PAS became meaningless in such an environment. The report of the Office for Internal Oversight Services on management practices in ODCCP had confirmed those concerns. UNSCV therefore suggested that SMCC consider mechanisms to ensure that work plans were prepared at the beginning of each year and that clear lines of authority were designated in each office. Managers, at all levels, who were unable to conform to this most basic element of management, should be held accountable (e.g., through reassignment away from supervisory roles).

Flexible working hours

The authority to establish working hours and to approve exceptions is delegated to the head of office at duty stations away from Headquarters (Annex V of ST/AI/234/Rev.1). In the context of that document, UNOV/ODCCP has employed a flexible working hours scheme (“flex-time”) on an experimental basis since December 1993. In accordance with the recommendations of SMCC-XXI, UNSCV availed itself of the opportunity of SMCC XXV to report on its experiences.

Flex-time was introduced in Vienna in order to allow staff greater flexibility to balance their work and family responsibilities. This is fully in line with the Secretary-General’s proposals for reform of human resources management, which stress the need to empower staff to manage their own work schedules, and which assign great importance to addressing the “work/family agenda.”

A Working Group on Flexible Working Hours was created by the Vienna JAC in 2000. The primary mandate of the Working Group was to evaluate the results of an office-wide survey of staff and managers on flex-time. The results of that survey showed overwhelming support for flex-time. The management representatives at SMCC-XXV offered unconditional support for the Vienna flex-time regime and supported the intention of the JAC to formalize the system.

After SMCC XXV: Submission of the report to the Secretary-General

SMCC XXV was preceded by a one-day training course entitled “Collaborative Negotiation Skills”. All the SMCC participants attended, including the Assistant-Secretary General of OHRM. We all went into the subsequent plenary enthusiastic and ready for meaningful and constructive negotiations. In general, the meeting met those expectations. However, the period after SMCC did not.

For reasons which have not been made clear, the President of SMCC submitted to the Secretary-General a report which selectively incorporated the staff comments, including those comments offered by UNSCV. Comments that might be perceived as contentious by management were discarded (e.g., our detailed comments on mobility). Moreover, some text was added that did not reflect anything never been said by either party. The complexity of the issues surely warranted a second reading by all the participants, but the staff representatives were never given that chance. The process followed made a mockery of the notion of “consultation” and severely eroded an already tenuous level of trust.

To say that the Staff Council was dissatisfied would be an understatement. The UNSCV delegation to SMCC presented logical and constructive input, both verbally and in writing, at the session. As a result of these developments, UNSCV requested the President of SMCC to withdraw the report from the attention of the Secretary-General with a view to resubmitting an accurate report of the deliberations.