

BACKGROUND

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U.S. Must Demand Transparency and Accountability in Appointment of Top-Level U.N. Officials

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Abstract

Under the tenure of Secretary-General Ban Ki-moon, the number of the highest-ranking U.N. officials has risen sharply. This expansion is troubling for a number of reasons, including lack of transparency in the nominating process, unsystematic allocation of top-level positions, insufficient justification for certain senior ranks, weak efforts to determine ongoing relevance of the senior positions, politicization and patronage in appointments, and obscure budgetary costs. The U.S. must demand increased transparency, require the Secretary-General to justify his appointments and demonstrate their continued relevance, and insist on elimination of unnecessary posts.

Under the tenure of United Nations Secretary-General Ban Ki-moon, the number of the highest-ranking U.N. officials has increased by an average of 35 percent (a 47 percent increase in New York and a 27 percent increase elsewhere). This expansion of top-level officials is troubling for a number of reasons, including lack of transparency in the nominating process, unsystematic allocation of senior positions, insufficient justification for why certain positions require senior ranks in order to fulfill their responsibilities, weak efforts to determine ongoing relevance or impact, politicization and patronage in appointments, and obscure reporting of costs of many positions. Although the individual cost of each position is relatively small, the growth in the number of senior officials and their related expenditures has added tens of millions of dollars to the U.N. regular budget.

KEY POINTS

- Under the tenure of United Nations Secretary-General Ban Ki-moon, the number of the highest-ranking U.N. officials has increased by 35 percent.
- This expansion of top-level officials is troubling for a number of reasons, including lack of transparency, unsystematic allocation of senior positions, insufficient justification for certain senior ranks, weak efforts to determine ongoing relevance or impact of the senior positions, politicization and patronage in appointments, and opaque costs of many positions.
- To increase transparency and accountability in this process, the U.S. Mission to the U.N. should urge the General Assembly to require the Secretary-General to provide, and publicly post, key information relating to each senior position, substantiate the need for senior rank, justify his appointments, and prove ongoing relevance.
- The U.S. should seek to eliminate outdated, irrelevant, or redundant positions, and downgrade unnecessary top-level ranks either through the General Assembly action or in coordination with the Secretary-General.

This paper, in its entirety, can be found at <http://report.heritage.org/bg2790>

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The U.S. Mission to the U.N. should address these issues through U.N. General Assembly resolutions requiring the Secretary-General to provide, and publicly post on a dedicated website, key information, including budgetary data for envoys and other high-level appointments, justification of the need for each senior appointment, and evidence of ongoing relevance and progress in fulfilling its mandate. Once determined, the U.S. should seek to eliminate outdated, irrelevant, or redundant positions and, when appropriate, downgrade senior official positions to director or professional rank either through General Assembly action or decisions by the Secretary-General.

Broad Authority

The Secretary-General is the chief administrative officer of the United Nations. Although the Secretary-General is “appointed by the General Assembly upon recommendation of the Security Council,” Article 101 of the U.N. Charter grants him authority to appoint U.N. staff “under regulations established by the General Assembly.”¹ This includes, U.N. senior officials, including the Deputy Secretary-General, Under Secretaries-General (USGs) and Assistant Secretaries-General (ASGs). It also extends to the appointment of special envoys and representatives and the heads of U.N. funds and programs, although some of these positions, including the U.N. Development Program (UNDP) and the U.N. Children’s Fund (UNICEF), require General Assembly approval.²

The U.N. General Assembly first established the Staff Regulations of the United Nations fleshing out Article 101 of the Charter in resolution 590 (VI) on February 2, 1952. The General Assembly has amended these regulations regularly in dozens

of resolutions. However, aside from reiterating that the “paramount consideration...shall be the necessity of securing staff of the highest standards of efficiency, competence and integrity” accompanied by a due regard to geographical representation, the rules and regulations provide little specific guidance.³ Indeed, the Staff Regulations reaffirm the Secretary-General’s power of appointment under Article 101, his authority over staff members, their accountability to him, and his power to assign them to “any of the activities or offices of the United Nations.”

The General Assembly appoints many USGs based on recommendations of the Secretary-General. Nonetheless, the member states wield considerable influence over his recommendations, particularly among the senior positions in the Secretariat. In theory, no position is reserved for any member state. In fact, the U.N. Charter specifically instructs the Secretary-General to resist such influences.⁴ However, as noted by the U.N. Joint Inspection Unit (JIU):

Selection and appointment of senior managers has been an issue since the founding of the United Nations in 1945. There has always been and will continue to be a natural tension between the Secretary-General’s authority to select and appoint senior staff and the desire of Member States to ensure that their nationals be placed in such positions....

The information presented in annex II [of the JIU report], however, shows that historically, certain positions are reserved for certain Member States and that no Secretary-General has been immune to political pressure in this regard.⁵

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1. United Nations, “Charter of the United Nations,” 1945, <http://www.un.org/en/documents/charter/> (accessed April 12, 2013).
 2. The U.N. specialized agencies, such as the World Health Organization and the International Monetary Fund, are functionally autonomous, with independent governing bodies and distinct procedures for appointing senior officials.
 3. United Nations, “Staff Regulations,” ST/SGB/2012/1, March 20, 2012, http://www.un.org/ga/search/view_doc.asp?symbol=ST/SGB/2012/1&Lang=E (accessed April 12, 2013).
 4. Article 100 states, “In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization,” and “each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.” Charter of the United Nations.
 5. M. Deborah Wynes and Mohamed Mounir Zahran, “Transparency in the Selection and Appointment of Senior Managers in the United Nations Secretariat,” Joint Inspection Unit, JIU/REP/2011/2, 2011, pp. 1 and 19, https://www.unjui.org/en/reports-notes/JIU%20Products/JIU_REP_2011_2.pdf (accessed April 12, 2013).

TABLE 1

Number of Senior U.N. Officials

	BASED IN NEW YORK		BASED OUTSIDE NEW YORK		Total
	Under-Secretaries General and Officers of Equivalent Rank and Above*	Assistant Secretaries-General and Officers of Equivalent Rank	Under-Secretaries General and Officers of Equivalent Rank	Assistant Secretaries-General and Officers of Equivalent Rank	
As of June 29, 2006	19	38	41	45	143
As of October 10, 2007	31	37	48	55	171
As of July 22, 2008	33	38	52	55	178
As of November 20, 2008	34	39	52	56	181
As of February 1, 2010	32	43	53	60	188
As of October 11, 2011	35	44	47	60	186
As of September 26, 2012	36	47	46	63	192
As of March 28, 2013	37	47	46	63	193

* Includes the U.N. Secretary-General and the U.N. Deputy Secretary-General.

Source: U.N. Protocol and Liaison Service, "Senior Officials of the United Nations and Officers of Equivalent Rank Whose Duty Station is New York," various dates; current version: <http://www.un.int/protocol/documents/ListofUNSen> (accessed April 12, 2013).

B 2790  heritage.org

Indeed, it is widely recognized that certain senior positions are coveted by certain countries or regions, and that the Secretary-General often appoints candidates proffered by certain nations, or groups of nations, to specific USG and ASG positions.⁶ Senior officials appointed by the General Assembly cannot be removed by the Secretary-General without that body's consent.

The Secretary-General possesses considerably greater discretion in his authority to appoint special envoys and other positions not requiring approval by the General Assembly. This includes a significant number of senior officials tasked with tracking or representing the Secretary-General in all manner

of thematic issues or diplomatic efforts as part of his "Good Offices" efforts of mediation and negotiation.

Need for Scrutiny

The number of senior U.N. officials (defined as ASG rank and above) identified by the U.N. has risen sharply from 143 in June 2006 to 193 in March 2013—most of which has taken place under Secretary-General Ban Ki-moon, who took office in January 2007. For protocol purposes, each of the 80-plus USGs are considered equivalent to cabinet ministers, and the more than 100 ASGs are considered equivalent to deputy ministers. Both earn salaries roughly equivalent to U.S. officials of similar ranks⁷

6. For instance, a U.S. citizen was the USG for Management from 1992 to 2006 when U.S. interest in U.N. reform was at its height. USGs for the regional commissions are filled by citizens from the regions. Wynes and Zahran, "Transparency in the Selection and Appointment of Senior Managers in the United Nations Secretariat," Annex II: Historical overview of Under-Secretaries-General and Assistant Secretaries-General or equivalent ranks, pp. 35-46.

7. "5 USC § 5312-Positions at Level I," Cornell Legal Information Institute, <http://www.law.cornell.edu/uscode/text/5/5312> (accessed April 12, 2013), and "5 USC § 5313-Positions at Level II," Cornell Legal Information Institute, <http://www.law.cornell.edu/uscode/text/5/5313> (accessed April 12, 2013).

(USG gross salary of \$189,599; ASG gross salary of \$172,301)⁸ and possess diplomatic immunity for their official duties.

By comparison, in addition to the President and Vice President, the U.S. has 21 cabinet-level positions (equivalent to Level I of the Executive Schedule) and 46 positions just below cabinet level (equivalent to Level II of the Executive Schedule).⁹ To illustrate it another way: On average, the U.N. has one USG equivalent for every 759 employees, while the U.S. executive branch on average has one cabinet official for every 91,391 employees.¹⁰

Aside from rank, U.N. senior positions can be grouped into three broad categories:

1. Peacekeeping and political missions. There is a fairly systematic approach to peacekeeping operations and political missions, which generally designate a Special Representative of the Secretary-General of USG rank to head the mission, and up to two ASG-rank Deputy Special Representatives to handle peacekeeping operations and humanitarian activities. Typically, smaller missions have fewer senior officials. The task in these instances is less to scrutinize the justification for senior officials, although in some cases Special Representatives and Deputy Special Representatives likely could be directors (the rank below ASGs) without hindering the operation, than it is to scrutinize the missions themselves to determine if they remain relevant or are fulfilling their mandates.

2. Senior management. These appointees are charged with managing departments of the Secretariat or U.N. funds, programs, or other bodies. Although the linkages between positions and responsibilities in these areas are generally clear, the reasoning behind why certain positions require a USG or ASG rank, instead of being assigned to directors or professional staff, as sometimes occurs with similar positions in other bodies, is unclear.¹¹ For instance:¹²

- Both the chairman and vice chairman of the International Civil Service Commission (ICSC)—a technical body that recommends adjustments in salaries for the United Nations and 14 other organizations participating in the United Nations common system with 39 staff members—are ranked as USGs. By contrast, both the executive director and the deputy of the United Nations Office for Project Services—a key body overseeing procurement and contracts management for the U.N. system with 718 staff members—are ranked as ASGs.
- In another example, the United Nations Relief and Works Agency for Palestine—charged with overseeing the humanitarian efforts for Palestinians with a staff of 201—has one USG and one ASG. Meanwhile, the United Nations High Commissioner for Refugees—charged with overseeing

8. Although U.N. salaries are tax free, they are subject to the U.N. Staff Assessment. Net remuneration of USGs and ASGs with dependents is \$146,219 and \$134,111, respectively. United Nations, *Report of the International Civil Service Commission for 2012*, A/67/30, Annex V, "Salary scale for the Professional and higher categories showing annual gross salaries and net equivalents after application of staff assessment, effective 1 January 2013," August 14, 2012, p. 81, <http://icsc.un.org/resources/pdfs/ar/AR2012.pdf> (accessed April 12, 2013).

9. "5 USC § 5312-Positions at Level I," Cornell Legal Information Institute, and "5 USC § 5313-Positions at Level II," Cornell Legal Information Institute."

10. U.S. executive branch employment was 2.102 million in 2011, excluding the postal service and the military. Office of Management and Budget, "Table 17.1 — Total Executive Branch Civilian Full-Time Equivalent (FTE) Employees: 1981-2014," <http://www.whitehouse.gov/omb/budget/Historicals> (accessed April 15, 2013). U.N. employment for those parts of the U.N. listed by the U.N. on the "Senior Officials of the United Nations and Officers of Equivalent Rank" list (UN, UNDP, UNFPA, UNOPS, UNHCR, UNICEF, UN Women, UNITAR, UNRWA, ITC, ICSC, ICJ, UNJSPF, UNU, WFP, UNAIDS, UNFCCC, UNICC, UNSSC) was 62,960 in 2011. United Nations Protocol and Liaison Service, "Senior Officials of the United Nations and Officers of Equivalent Rank Whose Duty Station is New York," March 28, 2013, <http://www.un.int/protocol/documents/ListofUNSeniorOfficials.pdf> (accessed April 12, 2013). For staff numbers, see United Nations Chief Executives Board for Coordination, "Personnel Statistics: Data as at 31 December 2011," Table 1A, CEB/2012/HLCM/HR/16, June 11, 2012, <http://www.unsceb.org/CEBPublicFiles/2011.pdf> (accessed April 12, 2013).

11. For an explanation and outline of general practice, see Wynes and Zahran, "Transparency in the Selection and Appointment of Senior Managers in the United Nations Secretariat," pp. 5-11.

12. For senior-official ranking, see United Nations Protocol and Liaison Service, "Senior Officials of the United Nations and Officers of Equivalent Rank Whose Duty Station is New York." For staff numbers, see United Nations Chief Executives Board for Coordination, "Personnel Statistics: Data as at 31 December 2011," Table 1A.

humanitarian efforts for the rest of the world's refugees with a much larger staff of 5,433—has one USG and three ASGs.

- UNICEF, which employed 8,065 people in 2011, has one USG and three ASGs while UNDP, which had 6,514 employees that same year, has two USGs and nine ASGs.

Not only are the distribution of senior positions seemingly inconsistent, but there is often little obvious justification given for why these posts require USG and ASG ranking. Why should, for instance, both the chairman and vice chairman of the ICSC be Under-Secretaries General? Why do UNDP assistant administrators need to be senior officials? Similar questions should be asked of many other U.N. senior positions.

3. Special envoys, advisers, and representatives focused on diplomatic initiatives and thematic issues. A number of serious questions of necessity, effectiveness, and redundancy surround the dozens of special envoys and diplomatic representatives appointed at the discretion of the Secretary-General. Some examples:

- **Necessity.** The Co-Commissioner-General of the Expo 2012 Yeosu Korea, an ASG-equivalent position, remains in place despite the expiration of the Expo on August 14, 2012. How essential is the Special Adviser to the Secretary-General on Sport for Development and Peace, with USG rank; or the United Nations Office on Sport for Development and Peace that he heads? Sports hardly seem under threat even in the poorest countries, and the effort to establish a “fundamental right” to sports only serves to debase the currency of human rights.
- **Effectiveness.** The USG-rank Personal Envoy of the Secretary-General for the Greece-FYROM Talks, instructed to resolve Greece's objection to Macedonia calling itself Macedonia, has made

no progress since its creation in the 1990s. A similar criticism can be made of the Personal Representative of the Secretary-General on the border controversy between Guyana and Venezuela, which could be quickly settled by the International Court of Justice if the parties truly wish it resolved.

- **Redundancy.** There are four Special Envoys of the Secretary-General for HIV/AIDS. The envoys for Africa and Europe and Central Asia are USG-rank, while those for the Caribbean and Asia are, puzzlingly, ASG-rank. Regardless, the contributions of these envoys are questionable, considering the resources and diplomatic heft of other U.N. bodies focused on HIV/AIDS including the Joint United Nations Program on HIV/AIDS; the Global Fund to Fight Aids, Tuberculosis and Malaria; and the World Health Organization. Similar arguments can be made for the Special Envoy for Malaria and the Senior U.N. System Coordinator for Avian and Human Influenza.

This list does not include questions surrounding the actual responsibilities of positions, such as the two generically titled Special Advisors to the Secretary-General, of which one, Iqbal Riza, was implicated by the Independent Inquiry Committee in the Oil-for-Food Programme led by former U.S. Chairman of the Federal Reserve Paul Volcker, to be intimately involved in the Iraqi Oil-for-Food scandal.¹³

The Costs

The budgetary implications of individual appointments are usually small, which reduces incentives for the member states to question or scrutinize their effectiveness. This is especially the case with those envoys, representatives, and advisers who receive a symbolic salary of a dollar a year. However, when considered as a group along with their associated costs of travel and support staff, the budgetary impact quickly mounts. For example, the cost of just

13. “The Management of the United Nations Oil-for-Food Programme,” Independent Inquiry Committee into the United Nations Oil-for-Food Programme, Vol. III-Report of Investigation: United Nations Administration, Part I, September 7, 2005, various references, particularly pp. 172-173, http://www.iic-offp.org/documents/Sept05/Mgmt_V3.pdf (accessed April 12, 2013). See also, Claudia Rosett and George Russell, “New U.N. Scheme: Alliance of Civilizations,” November 22, 2005, <http://www.foxnews.com/story/2005/11/22/new-un-scheme-alliance-civilizations/#ixzz2Q02NmEWr> (accessed April 12, 2013).

eight special advisers, envoys, and representatives is projected to be \$16.7 million in 2013.¹⁴ Among these, the Special Adviser to the Secretary-General on Cyprus, charged with assisting in the negotiations to resolve the decades-old Cyprus dispute between Greece and Turkey, and 18 support staff are projected to cost \$3.5 million in 2013.¹⁵ The Special Adviser to the Secretary-General on the Prevention of Genocide, who is paid a symbolic salary of a dollar a year, is projected to cost the U.N. \$2.5 million in 2013 due to nine support staff and associated costs.¹⁶

There are non-monetary costs as well. The proliferation of these positions in recent years can be explained, in part, as political patronage and influence pedaling. The positions are high profile, frequently well-paid sinecures (many with few responsibilities or expectations) too often awarded to former U.N. diplomats and employees. For instance, former Deputy Secretary-General Asha-Rose Migiro is currently the Special Envoy for HIV/AIDS in Africa, and the former Permanent Representative of Egypt to the U.N., Maged Abdelaziz, was named Special Adviser on Africa last year.

The Secretary-General also uses these appointments to capitalize on the connections of world leaders—former U.S. President Bill Clinton is the Special Envoy for Haiti, and former United Kingdom Prime Minister Gordon Brown is the Special Representative of the Secretary-General for Global Education. In some cases, these appointments are merely convenient, high-profile positions for out-of-power politicians, such as former Chilean president Michelle Bachelet, who served as the Executive Director of U.N. Women before resigning this year to seek a second presidential term.¹⁷ These world leaders provide influence and connections to assist the U.N. in its efforts—in the U.S. context often to solicit budgetary support or deflect criticism—and lend the U.N. credibility and prestige that it would not garner on its own.

In its 2011 report, the JIU emphasized that a number of member states had expressed frustration

over the lack of transparency in the appointment process.¹⁸

Necessary Actions

The significant growth in the number of senior U.N. officials since 2006 should concern the U.S. and the other U.N. member states, and lead them to increase their scrutiny of the establishment and evaluation of these positions. Excessive involvement of the General Assembly in this process would inevitably politicize the selection process, albeit in a different manner than is currently the case. The goal, therefore, should be to strike a balance between providing necessary oversight and transparency without unduly hindering the ability of the Secretary-General to appoint highly qualified individuals in a timely manner. With this goal in mind, the U.S. Mission should urge the General Assembly to enhance accountability, consistency, and transparency in the creation of senior official positions and the appointment process. The U.S. should:

- **Demand increased transparency.** The U.S. should seek a General Assembly resolution requiring the U.N. to provide and publicly post on a dedicated web page: the underlying mandate or relevant authority by which each senior official, including each special and personal representative, envoy, and adviser of the Secretary-General, is established; the responsibilities, activities, and reports of the senior official; and the budgetary expenditures relating to the position and its responsibilities and activities. The Secretary-General should also be required to notify the member states when he becomes aware that a senior position will become vacant.
- **Require the Secretary-General to substantiate the need for senior rank.** Not every position requires senior rank to perform its duties. The Secretary-General should be required to

14. Report of the Secretary-General, "Estimates in Respect of Special Political Missions, Good Offices and Other Political Initiatives Authorized by the General Assembly and/or the Security Council: Thematic Cluster I: Special and Personal Envoys, and Special Advisers of the Secretary-General," A/67/346/Add.1, September 5, 2012, http://www.un.org/ga/search/view_doc.asp?symbol=A/67/346/ADD.1 (accessed April 12, 2013).

15. Ibid.

16. Ibid.

17. The Chilean constitution does not allow a president to serve consecutive terms.

18. Wynes and Zahran, "Transparency in the Selection and Appointment of Senior Managers in the United Nations Secretariat."

justify the need for each position to hold a senior rank. If the justification falls short, the U.S. Mission should endeavor to reclassify the position through General Assembly action, when appropriate, or urge the Secretary-General to do so under his authority.

- **Require the Secretary-General to justify his appointments.** Senior officials enjoy prestige, diplomatic immunity, and laissez-passers for travel. This can frustrate accountability, because officials enjoy diplomatic immunity. The Secretary-General should have to justify his decisions on individual appointments to such prestigious slots to the General Assembly.
- **Emphasize that gender and geographical representation are secondary concerns in making appointments.** Article 101 of the U.N. Charter states that the “paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity.”
- **Prove ongoing relevance.** The ongoing relevance, purpose, or impact of senior U.N. officials should not be assumed. Each position should be subject to periodic review to determine if it remains necessary, and if progress is being made in achieving its underlying mission.

- **Eliminate unnecessary posts.** If a post is deemed outdated, ineffective, or duplicative, the U.S. Mission should seek to terminate its mandate. If that proves difficult, the U.S. Mission should encourage the Secretary-General to exercise his authority by leaving posts vacant as individuals complete their normal appointment terms.

Conclusion

The growth in the number of senior U.N. officials is a cause for concern for budgetary and accountability reasons. The member states are the final authority in the U.N. and must exercise appropriate scrutiny over this process. To assist in timely action and fend off member-state wrangling over who should be appointed to each senior position, the Secretary-General should retain appropriate discretion in making senior appointments. However, his authority should never be *carte blanche*, and he should be required to transparently and publicly justify his selections, as well as the necessity, impact, and budgetary implications of these positions.

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