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REPORT BY THE DIRECTOR-GENERAL ON THE USE OF INDIVIDUAL CONSULTANT AND FEE CONTRACTS BY THE SECRETARIAT

ADDENDUM

SUMMARY

In conformity with Item 2805.7 of the UNESCO Administrative Manual, the UNESCO Staff Union (STU) submits its observations on this report by the Director-General.

STU notes that document 181 EX/40 shows a lower number of individual consultant and fee contracts by the Secretariat in 2007 as compared to 2008. However, this document raises various concerns:

1. Comparing figures from a year at the end of a programme cycle with those from the start of a new cycle may be misleading. As a matter of fact, during the first year of the biennium (2008) funds could not be engaged and activities did not start being implemented until well into the first quarter of the year due to the finalization of the work plans and detailed decisions on activities to be carried out. A decrease in the number of contracts is therefore normal but cannot be regarded as a trend. Comparing figures from two full biennia after the closure of accounts would be more instructive.
2. STU raises concern about the information contained in paragraph 15 of the document, whereby there were 22 contracts extended to individuals for \$50,000 and more during 2008, compared to nine in 2007. This trend runs counter to the provisions contained in Section II.6. of Administrative Circular No. 2313 of 4 July 2008 that clearly defines the role of the individual consultant: "... to provide the skills, expertise and knowledge needed to deliver a specific service or product. In both cases, the individuals should have specialist skills and knowledge not available in UNESCO and for which there is a temporary and not a continuing need within the Organization ...". It is difficult to interpret from the document what skills and knowledge those individuals had to provide temporarily at such a high cost.

3. A further concern is the high number of 45 retired staff members who were paid a total of \$613,000 for the services rendered. Those retired staff members tend to obstruct the career development aspirations of serving staff or the intake of new staff. Therefore, hiring them should be limited to exceptional circumstances. In this context, STU welcomes the issuing of Administrative Circular No. 2333 published on 20 March 2009 on conditions for hiring retired staff members. It also hopes that due consideration will be given in future to geographical distribution and gender balance when employing a retired staff member.
4. Although an online roster for candidates has been introduced (cf. para. 4), there is no evidence that the contractants reported in the document are all registered in the roster and thorough comparison of eligible candidates had been carried out during their selection.
5. As a general comment, it is noteworthy that owing to budget pressures, an unregulated workforce in the form of non-staff employees continued to grow during the last years under a number of non-staff contractual mechanisms. These non-staff increasingly perform the same work as core staff, without the same remuneration and benefits.

This raises two major concerns – transparency of the selection process and non-staff rights.

The Bureau of Human Resource Management, on its Intranet site, confirms that selecting the right staff through the appropriate processes is important, from two points of view. The person appointed to the position may end up working for UNESCO for as long as 30 years. So choosing the wrong person can have a huge and lasting impact on the organization's performance and budget.

Furthermore, this practice results in widespread abuses, creates conflict among employee categories and is not in UNESCO's interest from the point of view of:

- effective personnel management;
- labour law;
- equity;
- liability;
- access to sensitive information.

STU therefore welcomes recent efforts made by the Administration to put in place a policy and procedures prohibiting the use of non staff employees from performing core functions.

Unregulated contractual arrangements commonly awarded until recently are a major concern for the Organization and the real dimension of this issue can only be understood if the information provided in document 181 EX/40 is analysed in conjunction with document 181 EX/19 that contains the results of the evaluation completed by IOS on UNESCO recruitment policy and practice. The IOS evaluation also will be completed by a more objective external auditor investigation and input from staff members other than the senior management of the sectors concerned. The IOS evaluation did not consult staff members or external candidates who were not selected for posts, nor a wider range of staff from Headquarters and field offices. The evaluators did not scrutinize actual evaluation processes and files.