

## **The General Assembly**

## *Improving the Administrative Efficiency of the United Nations*

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The administration of the United Nations has long been looked down upon for internal corruption and a lack of transparency and efficiency. In an effort to improve the image of the Secretariat, the topic has come up many times in the General Assembly agenda throughout the past few sessions, and several reforms have been made. However, there is still more to improve upon and different methods of improvement to look into, thus the topic continues on throughout sessions and in the media. The basic question continuously asked is, “How can the United Nations evaluate its current administrative and internal costs and improve its own spending?”

The United Nations is funded through the regular budget, which receives its monies from the assessed dues of member organizations. Under Article 17 of the United Nations Charter, each member state is required to pay a percentage of the regular and peacekeeping budgets based on the nation’s gross national product (GNP), which cannot exceed 22 percent or be less than .001 percent. The biannual budget is decided upon by a multi-tiered process, beginning with a spending plan presented by the Secretary-General to the Advisory Committee on Administrative and Budgeting Questions (ACABQ). The ACABQ then presents their compiled suggestions to the General Assembly’s Fifth Committee, which puts these into a draft resolution and presents it to the General Assembly (GA). The GA reviews the draft, making amendments and changes before passing the final budget. Up until the 2008-2009 budget (of \$4.17 billion), which the United States (US) refused to sign, the UN regular budget had always passed unanimously.

“Approximately 75 percent of the budget resources are related to salaries and common staff cost<sup>12</sup>” within the United Nations system. This staff includes approximately 9900 workers in New York, Geneva, Vienna, Nairobi, five regional economic commissions, 29 special political missions and various informational centers<sup>13</sup>. The manner of the spending of this money has long been an issue of contention within the United Nations and the international community. During his tenure as Secretary-General, Kofi Annan (1997-2006) set into motion numerous reforms to begin correcting these issues, especially after the 2004 allegations against the Oil-for-Food Program (OFFP) in which Iraq illegally sold oil to neighboring states during a time of international sanction, without the knowledge of the U.N.’s OFFP. These reforms and others included the creation of the Office of Internal Oversight Services (OIOS) in 1994, actually under the previous Secretary-General Boutros Boutros-Ghali of Egypt, which carries out internal audits and inspections. One of the main priorities of the OIOS is to uncover financial risk, which it defines as failure to obtain sufficient funding, inappropriate use of funds, inadequate management of financial performance below expectations and the inappropriate reporting and disclosure of financial performance<sup>14</sup>. Furthermore, in the Proposed Program Budget for the Biennium 2010-2011 under Part IX, Section 30: Internal Oversight, subsection 30.1 states that, “The overall purpose of the program is to enhance transparency and accountability and contribute to the high efficiency, effectiveness and goal fulfillment in the organization... The Office [also] assists the Secretary-General in fulfilling his internal oversight responsibilities

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<sup>12</sup> Presentation of Ambassador Mark D. Wallace of the United States on the 2008/2009 U.N. Budget, December 11, 2007.

<sup>13</sup> Understanding the United Nations Budgetary Process, September 19, 2008.

<sup>14</sup> A/63/302 (Part I), Activities of the OIOS for the Period of 1 July 2007 to 30 June 2008, August 18, 2008.

in respect of the resources and staff of the organization through monitoring, internal audit, inspection, evaluation and investigation.” Later, in subsection 30.29, the budget outline makes the requirement for the final output of internal oversight services including “(1); assessment of the potential within the Program areas for fraud and other violations... (1); provision of assistance and advice on prevention of fraud and other acts of misconduct (1); provision of assistance and expertise for program managers and for the separately administered funds and programs and investigations units...” According to the OIOS website, the Office has saved the UN \$204 million between 1995 and 2007<sup>15</sup>. This includes \$4.3 million returned to the UN after embezzlement by a former senior staff member from the Mission in Kosovo.

Another method of reform to increase transparency and efficiency is results-based management (RBM). RBM focuses on achieving results while improving performance. Techniques involved in this management style involve choosing objectives, setting indicators, collecting data of the process, and then reviewing the results<sup>16</sup>. However, the OIOS found several shortcomings in the design as laid out in the General Assembly resolution 55/231, including a bar on the indicators of achievement and limitations on the authority of the Secretary-General. The Office went on to offer several recommendations for the improvement of RBM in the UN<sup>17</sup>.

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<sup>15</sup> <http://www.un.org/Depts/oios/>.

<sup>16</sup> For more information on RBM, see the article titled “Implementation of Results-based Management in the United Nations Organizations,” which can be found at [http://www.unjuu.org/data/reports/2004/en2004\\_6.pdf](http://www.unjuu.org/data/reports/2004/en2004_6.pdf)

<sup>17</sup> “Review of results-based management at the United Nations,” <http://mande.co.uk/2009/topic-bibliographies/results-based-management/review-of-results-based-management-at-the-united-nations>

Problems remain, however, and reform is still very much on the agenda. The topic came up often during the 60<sup>th</sup> session, producing several resolutions, including 60/254, which, “Requests the Secretary-General to further strengthen the current framework by establishing and ensuring an effective system of accountability that clearly defines the lines of authority and responsibility...” and, “Welcomes the establishment of the Ethics Office”, requesting that the Secretary-General, “Administer and monitor more extensive disclosure of financial and other interests by United Nations officials in accordance with the amended Staff Regulations...”<sup>18</sup> The subject came up again in the 62<sup>nd</sup> session, which stressed, “That accountability is a central pillar of effective and efficient management that requires attention at the highest level,<sup>19</sup>” and requested that the Secretary General return in the 64<sup>th</sup> session with a comprehensive report to the GA covering accountability and better management.

The subject of accountability in the United Nations’ Administration will continue to be an issue for the international community for all future generations, as the world continues to change and change is needed to keep up. But change is slow in coming, and so it has been left up to us, the next generation to figure out how to reform the internal financial processes of the U.N. in order to meet the demands we will face as leaders of the international community.

## Questions

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<sup>18</sup> A/RES/60/254 “Review of the efficiency of the administrative and financial functioning of the United Nations.”

<sup>19</sup> A/RES/63/276

- A. How can results-based management be improved upon within the United Nations system?
- B. Do improvements need to be made to the Office of Internal Oversight Services? If so, what kind and how?
- C. Numerous reforms have been made to the United Nations system, are further reforms needed? If so, what kind of reforms? How should they be implemented? Will further funding be needed?

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*Transnational Organized Crime: Addressing the Effectiveness of the United Nations Convention  
against Transnational Organized Crime*  
The College of St. Benilde

Transnational organized crime is considered as one of the major threats to human prosperity and progress, impeding the social, economic, political and cultural development of societies worldwide. It is a multi-faceted phenomenon and has manifested itself in different activities. These include; drug trafficking, human trafficking, trafficking firearms, smuggling of migrants, money laundering, etc. In particular drug trafficking can be considered as one of the main activities of organized crime groups, generating enormous profits. The United Nations Office on Drugs and Crime (UNODC) works closely with governments, international organizations and civil society to strengthen cooperation to counter the pervasive influence of organized crime and drug trafficking.<sup>37</sup>

The United Nations Convention against Transnational Organized Crime is the main international instrument to counter organized crime.<sup>38</sup> UNODC helps countries use the provisions of the convention to create domestic criminal offences to counter the problem, adopt new frameworks for mutual legal assistance, facilitate and improve extradition, law enforcement cooperation and technical assistance and training.<sup>39</sup>

In the new global age and as globalization has expanded international trade, borders have opened up, trade barriers have fallen and information speeds around the world at the touch of a button. Everything now is an easy access that leads business to boom and so is transnational organized crime. The range of organized crime activities has broadened and diversified. The

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<sup>37</sup> United Nations Office on Drugs and Crime-<http://www.unodc.org/unodc/en/treaties/CTOC/index.html>

<sup>38</sup> <http://www.unodc.org/unodc/en/treaties/CTOC/index.html>

The United Nations Convention against Transnational Organized Crime and Its Protocols

<sup>39</sup> UNODC and Organized Crime- <http://www.unodc.org/unodc/en/organized-crime/index.html>

traditional hierarchical forms of organized crime groups have diminished and replaced with loose networks who work together in order to exploit new market opportunities. For example, organized crime groups involved in drug trafficking are commonly engaged in smuggling of other illegal goods. The links between drug trafficking and other forms of transnational organized crime calls for a more integrated approach to address this nexus. Transnational crimes are often operated by well-organized groups like international drug cartels or the so called mafias, which have been involved in racketeering, fraud, tax evasion, gambling, drug trafficking, arson, robbery, and murder.<sup>40</sup>

The La Cosa Nostra was the most prominent organized crime group in the world from the 1920s to the 1990s. They were involved in violence, arson, bombings, torture, loan sharking, gambling, drug trafficking, health insurance fraud, and political and judicial corruption. Their operations originated in the rural areas of Sicily but have spread throughout all of southern Europe and large areas of America. However they were severely crippled by actions of the American FBI in the 1970s and 80s. Similarly, the Yakuza in Japan are often involved in multinational criminal activities, including human trafficking, gambling, prostitution, and undermining licit businesses. These are just some of the examples of groups that are responsible for transnational crimes. Groups such as these typically involve hierarchies and are headed by a powerful leader. They work to make a profit through illegal activities. Because groups operate internationally, their activity is a threat to global security, often weakening governmental institutions or destroying legitimate business endeavors.

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<sup>40</sup> National Institute of justice (Transnational Organized Crime)-  
<http://www.ojp.usdoj.gov/nij/topics/crime/transnational-organized-crime/major-groups.htm>

The United Nations Convention against Transnational Organized crime was adopted by the It is the main international instrument in the fight against transnational organized crime. It opened for signature by Member States at a High-level Political Conference convened for that purpose in Palermo, Italy, December 12 – 15, 2000 and entered into force on the September 29, 2003.<sup>41</sup> To target specific areas and manifestations of organized crime, the convention was further supplemented by three protocols. First is the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*.<sup>42</sup> It was adopted by General Assembly resolution 55/25. It entered into force on December 25, 2003 and was intended to prevent and combat trafficking in persons, paying particular attention to women and children, protect and assist the victims of such trafficking, with full respect for their human rights and promotes cooperation among States Parties in order to meet those objectives. Second is the *Protocol against the Smuggling of Migrants by Land, Sea and Air*.<sup>43</sup> It was adopted by the General Assembly resolution 55/25, and entered into force on January 28, 2004. It deals with the growing problem of organized criminal groups who smuggle migrants, often at high risk to the migrants and at great profit for the offenders. A major achievement of the Protocol was that, for the first time in a global international instrument, a definition of smuggling of migrants was developed and agreed upon. The Protocol aims at preventing and combating the smuggling of migrants, as well as promoting cooperation among states parties, while protecting the rights of smuggled migrants and preventing the worst forms of their exploitation which often characterize

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<sup>41</sup> TENTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS- <http://www.un.org/events/10thcongress/2088f.htm>

<sup>42</sup> PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN- [http://www.uncjin.org/Documents/Conventions/dcatoc/final\\_documents\\_2/convention\\_%20traff\\_eng.pdf](http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_%20traff_eng.pdf)

<sup>43</sup> PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR- [http://www.uncjin.org/Documents/Conventions/dcatoc/final\\_documents\\_2/convention\\_smug\\_eng.pdf](http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_smug_eng.pdf)

the smuggling process. Lastly, the *Protocol against the Illicit Manufacturing of and Trafficking in Firearms* was adopted by General Assembly resolution 55/255 of May 31, 2001. It entered into force on July 3, 2005. Its primary purpose is to strengthen and unify international cooperation and to develop cohesive mechanisms to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. Countries must become parties to the Convention itself before they can become parties to any of the protocols.<sup>44</sup>

The UNODC has initiated and oversees numerous counter-narcotics and anti-organized crime projects to assist Member States in the ratification and implementation of the TOC Convention. These projects include monitoring the implementation of the Convention, developing and promoting best practice in countering organized crime across the globe, improving the exchange of information, judicial cooperation and mutual legal assistance between law enforcement officials and determining the most effective method for collecting information on organized crime from a regional and global perspective and ensuring that such information is available to policymaking and technical assistance projects.

### **Questions:**

1. What does the national government do to fight transnational organized crimes aside from ratifying to A/Res/55/25 of 15 November in year 2000?
2. Since everything today is an easy access like the internet for instance, what should UN do to monitor the acts of these Transnational Criminals? How could the UN identify them?

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<sup>44</sup> Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition-  
<http://www.unodc.org/documents/treaties/Special/2001%20Protocol%20against%20the%20Illicit%20Manufacturing%20of%20and%20Trafficking%20in%20Firearms.pdf>

3. How will the UNODC Monitor those countries that have ratified the A/Res/55/25 is complying with the protocol? Is there any penalty if the signatories did not follow the protocol of A/Res/55/25?