

31/191. Financial emergency of the United Nations

The General Assembly,

Recalling its resolution 3538 (XXX) of 17 December 1975, by which it established the Negotiating Committee on the Financial Emergency of the United Nations,

Reaffirming its determination to bring about a lasting solution to the financial problems of the Organization,

Considering that the Committee was unable to complete its report⁶⁸ in time for adequate consideration by Member States at the current session of the General Assembly,

1. *Decides* to defer to its thirty-second session consideration of the report of the Negotiating Committee on the Financial Emergency of the United Nations;

2. *Requests* the Committee to keep the financial situation of the United Nations under review in order to promote a lasting solution to the financial problems of the Organization;

3. *Further requests* the Committee to submit, if necessary, a supplementary report on further developments;

4. *Further decides* to include in the provisional agenda of its thirty-second session the item entitled "Financial emergency of the United Nations: report of the Negotiating Committee on the Financial Emergency of the United Nations".

*107th plenary meeting
22 December 1976*

31/192. Statute of the Joint Inspection Unit⁶⁹

The General Assembly,

Recalling its resolutions 2150 (XXI) of 4 November 1966, 2360 (XXII) of 19 December 1967, 2735 A (XXV) of 17 December 1970 and 2924 B (XXVII) of 24 November 1972, relating to the establishment, setting up and continuation of the Joint Inspection Unit,

Having considered the views submitted by the Secretary-General in his capacity as Chairman of the Administrative Committee on Co-ordination,⁷⁰ the Economic and Social Council,⁷¹ the Committee for Programme and Co-ordination,⁷² and the Joint Inspection Unit,⁷³ and the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions⁷⁴ on the question of the continuation of the Joint Inspection Unit,

Taking into account the views expressed in the Fifth Committee,

1. *Approves* the statute of the Joint Inspection Unit as set out in the annex to the present resolution;

2. *Invites* the organizations within the United Nations system to notify the Secretary-General of the

⁶⁸ *Ibid.*, Supplement No. 37 (A/31/37).

⁶⁹ See also sect. X.B.6 below, decision 31/424.

⁷⁰ A/31/75/Add.1 and Add.1/Corr.1.

⁷¹ *Official Records of the General Assembly, Thirty-first Session, Supplement No. 3 (A/31/3)*, chap. III, sect. H, and chap. VII, sect. C.

⁷² *Ibid.*, Supplement No. 38 (A/31/38).

⁷³ See A/31/89 and Add.1.

⁷⁴ A/31/325.

acceptance of the present statute as soon as possible and to take appropriate action for the use of the services of the Joint Inspection Unit.

*107th plenary meeting
22 December 1976*

ANNEX

Statute of the Joint Inspection Unit

CHAPTER I

ESTABLISHMENT

Article 1

1. The General Assembly of the United Nations (hereinafter referred to as the General Assembly) decides that the Joint Inspection Unit, created on an experimental basis under General Assembly resolution 2150 (XXI) of 4 November 1966 and extended thereafter under Assembly resolutions 2735 A (XXV) of 17 December 1970 and 2924 B (XXVII) of 24 November 1972, shall be established in accordance with the present statute and with effect from 1 January 1978. The functions, powers and responsibilities of the Joint Inspection Unit (hereinafter referred to as the Unit) are defined in chapter III of the present statute.

2. The Unit shall perform its functions in respect of and shall be responsible to the General Assembly and similarly to the competent legislative organs of those specialized agencies and other international organizations within the United Nations system which accept the present statute (all of which shall hereinafter be referred to as the organizations). The Unit shall be a subsidiary organ of the legislative bodies of the organizations.

3. Acceptance of the present statute by an organization shall be notified in writing by its executive head to the Secretary-General of the United Nations (hereinafter referred to as the Secretary-General).

CHAPTER II

COMPOSITION AND APPOINTMENT

Article 2

1. The Unit shall consist of not more than eleven Inspectors, chosen from among members of national supervision or inspection bodies, or from among persons of a similar competence on the basis of their special experience in national or international administrative and financial matters, including management questions. The Inspectors shall serve in their personal capacity.

2. No two Inspectors shall be nationals of the same State.

Article 3

1. Starting from the thirty-second session of the General Assembly, in 1977, the President of the General Assembly shall consult with Member States to draw up, with due regard to the principle of equitable geographical distribution and of reasonable rotation, a list of countries which would be requested to propose candidates who meet the qualifications mentioned in article 2, paragraph 1, above.

2. The President of the General Assembly, through appropriate consultations, including consultations with the President of the Economic and Social Council and with the Chairman of the Administrative Committee on Co-ordination, shall review the qualifications of the proposed candidates. After further consultations, if necessary, with the States concerned, the President of the General Assembly shall submit the list of candidates to the Assembly for appointment.

3. The provisions contained in paragraphs 1 and 2 of the present article shall govern the procedure for the replacement of the Inspectors whose terms of office have expired or who have resigned or otherwise ceased to be members of the Unit.

Article 4

1. The duration of the appointments of the Inspectors shall be five years, renewable for one further term. In order

to ensure continuity in the membership of the Unit, six of the Inspectors appointed from 1 January 1978 shall serve for a full term; the terms of the others shall expire at the end of three years.

2. An Inspector appointed to replace one whose term of office has not expired shall hold office for the remainder of that term, provided it is not less than three years. Otherwise the duration of the appointment shall be for a full term.

3. An Inspector may resign on giving six months' notice to the Chairman of the Unit.

4. The term of office of an Inspector shall be terminated only if, in the unanimous opinion of all the other Inspectors, he has ceased to discharge his duties in a manner consistent with the provisions of the present statute and after that conclusion is confirmed by the General Assembly.

5. The Chairman of the Unit shall notify the Secretary-General of any vacancy for the necessary administrative action. Such notification shall make the post vacant.

CHAPTER III

FUNCTIONS, POWERS AND RESPONSIBILITIES

Article 5

1. The Inspectors shall have the broadest powers of investigation in all matters having a bearing on the efficiency of the services and the proper use of funds.

2. They shall provide an independent view through inspection and evaluation aimed at improving management and methods and at achieving greater co-ordination between organizations.

3. The Unit shall satisfy itself that the activities undertaken by the organizations are carried out in the most economical manner and that the optimum use is made of resources available for carrying out these activities.

4. Without prejudice to the principle that external evaluation remains the responsibility of appropriate intergovernmental bodies, the Unit, with due regard to its other responsibilities, may assist them in carrying out their responsibilities for external evaluation of programmes and activities. On its own initiative or at the request of the executive heads, the Unit may also advise organizations on their methods for internal evaluation, periodically assess these methods and make *ad hoc* evaluations of programmes and activities.

5. The Inspectors may propose reforms or make recommendations they deem necessary to the competent organs of the organizations. They shall not, however, have the power of decision, nor shall they interfere in the operations of the services they inspect.

Article 6

1. Acting singly or in small groups, the Inspectors shall make on-the-spot inquiries and investigations, some of which may be without prior notification, as and when they themselves may decide, in any of the services of the organizations.

2. The Inspectors shall be accorded full co-operation by the organizations at all levels, including access to any particular information or document relevant to their work.

3. The Inspectors shall be bound by professional secrecy as regards all confidential information they receive.

Article 7

The Inspectors shall discharge their duties in full independence and in the sole interest of the organizations.

Article 8

The Unit shall determine standards and procedures for the conduct of inquiries and investigations.

CHAPTER IV

MODE OF OPERATION

Article 9

1. The Unit shall be responsible for preparing its annual programme of work. In doing so, it shall take into account,

besides its own observations, experience and assessment of priorities as regards subjects for inspection, any requests of the competent organs of the organizations and suggestions received from the executive heads of the organizations and the bodies of the United Nations system concerned with budgetary control, investigation, co-ordination and evaluation.

2. A copy of the programme of work, as approved by the Unit, shall be sent to the Secretary-General and, for information purposes, to the Advisory Committee on Administrative and Budgetary Questions. The Secretary-General shall arrange for its issue as a document of the United Nations and for its transmission to the executive heads of the organizations and to the bodies of the United Nations system concerned with budgetary control, investigation, co-ordination and evaluation.

Article 10

1. The Unit shall submit an annual report on its activities to the General Assembly and to the competent organs of the other organizations.

2. Annual reports by organizations to the Economic and Social Council shall include information on the work of the Unit as it relates to the respective organizations.

Article 11

1. The Unit may issue reports, notes and confidential letters.

2. The Inspectors shall draw up, over their own signature, reports for which they are responsible and in which they shall state their findings and propose solutions to the problems they have noted. The reports shall be finalized after consultation among the Inspectors so as to test recommendations being made against the collective wisdom of the Unit.

3. Reports of the Unit shall contain a summary of the main conclusions and/or recommendations.

4. The procedure for handling and processing reports shall be as follows:

(a) The Unit shall submit the original version to the executive heads of the organizations concerned;

(b) Translation of reports of concern to more than one organization shall be arranged by the Unit; reports of concern to only one organization shall be translated by that organization;

(c) Upon receipt of reports, the executive head or heads concerned shall take immediate action to distribute them, with or without their comments, to the States members of their respective organizations;

(d) When a report concerns only one organization, the report and comments thereon of the executive head shall be transmitted to the competent organ of that organization not later than three months after receipt of the report for consideration at the next meeting of the competent organ. In the case of the United Nations, the Unit shall, when possible, indicate to which organs of the United Nations a report is of essential concern and the Secretary-General shall take this into account when distributing it. The Advisory Committee on Administrative and Budgetary Questions shall receive all reports for information. As it deems appropriate, the Advisory Committee may choose to issue comments and observations on any of the reports which fall within its competence;

(e) When a report concerns more than one organization, the respective executive heads shall, normally within the framework of the Administrative Committee on Co-ordination, consult with one another and, to the extent possible, co-ordinate their comments. The report, together with the joint comments and any comments of the respective executive heads on matters that concern their particular organizations, shall be ready for submission to the competent organs of the organizations not later than six months after receipt of the Unit's report for consideration at the next meeting of the competent organs concerned. Should, in exceptional cases, more than six months be required for consultations, with the result that comments would not be ready for submission to competent organs at the next meeting following the six-month period, an interim submission shall be made to the competent organs concerned ex-

plaining the reasons for the delay and setting a firm date for the submission of the definitive comments;

(f) The executive heads of the organizations concerned shall inform the Unit of all decisions taken by the competent organs of their organizations on reports of the Unit.

5. Notes and confidential letters shall be submitted to executive heads for use by them as they may decide.

Article 12

Executive heads of organizations shall ensure that recommendations of the Unit approved by their respective competent organs are implemented as expeditiously as possible. Such implementation may be subject to verification by the competent organs of the organizations, which may also request the Unit to issue follow-up reports. The Unit may also prepare such reports on its own initiative.

CHAPTER V

CONDITIONS OF SERVICE

Article 13

For the purpose of the Convention on the Privileges and Immunities of the United Nations,⁷⁵ the Inspectors shall have the status of officials of the United Nations. They shall not be considered to be staff members.

Article 14

1. The Inspectors shall receive the salary and allowances payable to United Nations staff members at the Director (D-2) level, step IV.

2. Compensatory and insurance arrangements for the Inspectors shall be equivalent to those of a United Nations staff member at the D-2 level, including provision for:

(a) Compensation under the terms of appendix D to the United Nations Staff Rules for service-attributable death, injury or illness;

(b) Compensation for death or disability while in office, or in receipt of disability benefits, comparable to the benefits payable in respect of participants in the United Nations Joint Staff Pension Fund under provisions for disability benefit, widow's benefit, widower's benefit, child's benefit and secondary dependant's benefit of the Regulations of the Fund;

(c) Participation in health insurance arrangements of the United Nations on the same basis as staff at the D-2 level.

3. The Inspectors shall be entitled to such post-retirement benefits as may be determined by the General Assembly.

4. The Inspectors and their dependants shall be provided with the same standards of accommodation for all travel on official business (including appointment, home leave and repatriation) as staff members of the United Nations at the D-2 level.

5. Each Inspector shall be entitled to annual, sick and home leave on the same basis as staff members of the United Nations holding fixed-term appointments of the same duration as the Inspector.

Article 15

The Inspectors shall not accept other employment during their term of office; nor shall an Inspector be appointed or serve as an official or consultant of an organization while in office as an Inspector or within three years of ceasing to be a member of the Unit.

CHAPTER VI

ADMINISTRATIVE, BUDGETARY AND FINANCIAL ARRANGEMENTS

Article 16

The Unit shall be located at Geneva.

Article 17

The Secretary-General shall provide such office and related facilities and administrative support as the Unit may require.

⁷⁵ United Nations, *Treaty Series*, vol. I, No. 4, p. 15.

Article 18

The Unit shall elect each year from among the Inspectors a Chairman and Vice-Chairman. The Chairman shall play a co-ordinating role in respect of the Unit's programme of work for the year. The Chairman shall be the formal channel of communication with the competent bodies and the executive heads of the organizations. He shall represent the Unit, as necessary, at meetings of the organizations and perform on the Unit's behalf such other functions as it may decide.

Article 19

1. The Unit shall be assisted by an Executive Secretary and by such staff as may be authorized in accordance with article 20 of the present statute.

2. The staff, selected in accordance with Article 101, paragraph 3, of the Charter of the United Nations, shall be appointed by the Secretary-General after consultation with the Unit and, as regards the appointment of the Executive Secretary, after consultation with the Unit and the Administrative Committee on Co-ordination. The staff of the secretariat of the Unit shall be staff members of the United Nations and the Staff Regulations and Staff Rules of the United Nations shall apply to them.

Article 20

1. The budget of the Unit shall be included in the regular budget of the United Nations. The budget estimates shall be established by the Secretary-General after consultation with the Administrative Committee on Co-ordination on the basis of proposals made by the Unit. The budget estimates shall be submitted to the General Assembly together with the report thereon by the Administrative Committee on Co-ordination and with the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions. The Unit shall be invited to be represented at meetings when its budget estimates are being discussed.

2. The expenditures of the Unit shall be shared by the participating organizations as agreed by them.

CHAPTER VII

OTHER ARRANGEMENTS

Article 21

The present statute may be amended by the General Assembly. Amendments shall be subject to the same acceptance procedure as the present statute.

Article 22

An organization may not withdraw its acceptance of the statute unless it has given to the Secretary-General two years' notice of its intention to do so. The Secretary-General shall bring any such notice to the attention of the General Assembly and, through the executive heads concerned, to that of the competent organs of the other organizations.

31/193. Joint Inspection Unit⁷⁶

A

PENSION COVERAGE FOR MEMBERS OF THE JOINT INSPECTION UNIT

The General Assembly,

Taking note of the reports of the Secretary-General on the question of pension coverage for members of the Joint Inspection Unit,⁷⁷ the observations of the Unit thereon,⁷⁸ the relevant paragraphs of the report of the United Nations Joint Staff Pension Board⁷⁹ and

⁷⁶ See also sect. X.B.6 below, decision 31/424.

⁷⁷ A/C.5/1697, A/C.5/31/30.

⁷⁸ A/31/89/Add.1, annex.

⁷⁹ *Official Records of the General Assembly, Thirty-first Session, Supplement No. 9 (A/31/9)*, paras. 89-91.