CHAPTER III

ADMINISTRATIVE ORGANIZATION AND COMPOSITION OF THE
UN SECRETARIAT
The secretariat is headed by the Secretary General, who is also the chief administrative officer of the United Nations. He is appointed by the General Assembly upon the recommendation of the Security Council. On January 24, 1946, the General Assembly decided that the term of the appointment should be for five years, being open at the end of that period for a further five year term, which might be modified in future by the General Assembly and the Security Council. To make him independent and impartial in the performance of his duties, every member state is advised to refrain from offering him any governmental position, immediately upon retirement and if offered, he should avoid that offer.¹

The UN Charter does not have any provision in itself, which might give specific guidelines for the organization of the Secretariat. However, from the very beginning, it was realized that an international secretariat, like a national one, must be organized by defining its functions and responsibilities, in such a way as to make it a most efficient working system. And for this reason, one of the first questions that the preparatory Commission had to consider was whether the Secretariat should be organized

on the functional basis or in relation to the organs which it had to serve. The Charter in its article 101, par. 2 supports latter one by the specification, that appropriate staffs should be permanently assigned to the Economic and Social Council, the Trusteeship Council........ and as required, to the other organs of the United Nations. However, the organization of the Secretariat in relation to the organs, was not appreciated, the reason being that there were some of the work of the Secretariat, like the registration of treaties, which did not relate to the work of any particular organs and many of the services to be provided were by their nature common to all organs.

Though the Preparatory Commission in its Report recommended the method of organisation of the Secretariat for the most part leased on the functional principle, it avoided the acceptance of either view in full. The reason it cited was:

"Because the organs of the United Nations have both distinctive and common functions", it concluded, "the staff or secretariat, which serves them at all times, should be so organized as to meet this situation. Every organ, therefore, has its disposal the services of the whole of the Secretariat,"
and each Department of the Secretariat Serves all the organs as required, subject to one qualification, the proposed Department of Security Council Affairs". Owing to the fact that the Security Council was given exclusive powers to deal with military and enforcement measures, the Commission deemed it necessary that the special units of the Department of Security Council Affairs concerned with these measures should serve the Security Council exclusively.  

The General Assembly accepted the recommendations of the Preparatory Commission, though in a somewhat modified form, in the first part of the first regular annual session held in London. It lasted from January 10 to February 14, 1946. During the session, the Assembly decided that the Secretary General should set up the Secretariat so that it could perform effectively the functions and services required. The Secretary General was directed to divide his operations into eight principal divisions, established on a functional basis as distinct from being created to serve the principal organs of the United Nations. The eight units for which it provided were:

- Department of Security Council Affairs
- Department of Economic Affairs
- Department of Social Affairs
- Department of Trusteeship and Information from Non-Self-Governing Territories

Each of these departments was given in charge of an Assistant Secretary General. They were not only responsible for performing their administrative responsibilities but also to assist the Secretary General in his dealings with governments and were chosen for appointment with an eye to their political acceptability. Five of the departments were filled by the Assistant Secretaries who were the nationals of the five permanent members of the Security Council. In the remaining cases, the national governments were also consulted. One of the Assistant Secretaries was authorized to act as an Acting Secretary General in the absence of the Secretary General or if he was unable to perform his functions. It is the responsibility of Secretary General to take steps of any type to ensure coordination between the Department of Economic Affairs and of Social Affairs and to maintain appropriate administrative relationships between those Department and the Economic and Social Council and the Specialized agencies. For this purpose
a Joint Division of Coordination and Liaison was established. Provision was also made for the creation of an Executive Office for the Secretary General at his disposal with a small staff of advisors and assistants, which would perform certain functions in connection with the General Assembly meetings as well as functions of a general coordinating nature under the direction of an Executive Assistant. ³

Each department was further divided into different divisions and divisions into sections as per requirement of the service. The complete organization of the Secretariat under these proposals is shown on the chart 1 on the next page.

The first proposed organization adopted in 1946 continued without substantial change until 1953, except for a Technical Assistance Administration, which was established to assist in the administration of the Expanded Program of Technical Assistance under the supervision of a Director General. A number of delegations made demands for greater administrative efficiency in successive years' budget

³Ibid. pp.143-44.
debates in general and expressed doubts regarding the soundness of the present administrative structure. These views were expressed in particular in the course of the debates on the 1952 budget estimates. Consequently, the Fifth (Administrative and Budgetary) Committee requested in its report to the General Assembly that the Secretary General prepare a study on the desirability of a general reorganization of the Secretariat for submission to the Seventh session of the General Assembly in 1952. Secretary General Trygve Lie did not take any step for substantial changes in the organization during his secretaryship. However, the new Secretary General, Hammarskjold, who followed Lie, opined in an explanatory memorandum that the structure of the Secretariat should be simplified and the lines of responsibility more clearly defined. He made it clear that eight assistant and a Director-General was too large number either to act as a coordinating group or to work with him in consideration and formulation of policy. At the seventh session held in 1952. The General Assembly requested the Secretary General for the preparation of a more detailed report, which was submitted at eighth session in 1953. The proposals of the Secretary General along the lines of the reorganization, he had suggested, was recommended at this session and approved at its
ninth session in 1954, generally the measures, he had adopted.

On the basis of these proposals some important changes were made in the organization of the Secretariat. According to the Plan, the Department of Legal Affairs, the office of Personnel and the office of the Controller were brought into the immediate office of the Secretary General. The Plan also made a provision for the two under-secretaries without portfolio to serve as advisers to the Secretary General on special questions and to undertake special assignments on his behalf. Another important change according to the new plan was the consolidation of the separate Department of Economic Affairs and Departments of Social Affairs into one single Department of Economic and Social Affairs. The previous offices of assistant secretaries-general were replaced by the offices of under-Secretaries. And, except for the two under-Secretaries in the office of the Secretary General, all the other under-Secretaries were assigned to particular departments which were functioning for specific purposes. In addition, the Department of Conference and General Services was bifurcated into a Department of Conference Services and an Office of General Services. The Technical
Assistance Administration was not changed and remained as a separate unit, however, its close coordination with the Department of Economic and Social Affairs was brought under the direct supervision of the Secretary General. The reorganization of the Secretariat under these proposals is shown in the Chart-2 on the next page.

After the approval of new organization, the Secretary General opined that it will help him in making certain delegation of political responsibility within specific fields. He also considered that the reorganization would result in some financial savings. He made it clear, in presenting his proposed changes to the Fifth Committee at the ninth session, 1954 of the General Assembly, that his plan would:

"(1) reduce the number of high ranking officials reporting directly to sixteen,

(2) create more clear-cut lines of authority than have existed in the system, and

(3) give the new top-level positions the same status with each other—a matter that is largely concerned with diplomatic privileges and immunities".4

ORGANIZATIONAL CHART OF THE UNITED NATIONS

THE UNITED NATIONS

- Security Council
- General Assembly
- Economic and Social Council
- Secretariat

THE SPECIALIZED AGENCIES

- International Labour Organization
- Food and Agriculture Organization
- United Nations Educational, Scientific, and Cultural Organization
- World Health Organization
- International Development Association
- International Economic Organization

OTHER SUBSIDIARY BODIES OF THE UNITED NATIONS

- Main Committees
- Professional Committees
- Standing Committees

ADMINISTRATIVE COMMITTEE ON COORDINATION

- United Nations Specialized Agencies
- United Nations Relief and Works Agency for Palestine Refugees
- United Nations Children's Fund
- United Nations High Commissioner for Refugees
- World Intellectual Property Organization
- Inter-Regional Economic Commission
- Internal Production Board
- United Nations Industrial Development Organization
- International Financial Corporation
- United Nations Conference on Trade and Development
After completing the task of administrative organization of the UN Secretariat, the first UN Secretary General, Trigue Lie had to face another difficult task of greater responsibility. It was the composition of the Secretariat. For this purpose, the Secretary General had to recruit a large number of staff in the shortest possible time in order to make the UN Secretariat a working system. The General Assembly expressed the view in February 1946, that appropriate methods of recruitment should be established to have a staff that would be characterized by the highest standards of efficiency, competence, and integrity, with due regard being paid to recruitment on as wide a geographical basis as possible. And the Secretary General was instructed to abide by the suggestions concerning recruitment included in the report of the Preparatory Commission. He started functioning in 1946 with an extemporé staff of about 300 persons, recruited partly from the Secretariat of the Preparatory Commission, the first General Assembly and former officials of the League of known merit. In the short period of few months, he gathered a staff of 3,000. The American nationals got opportunity to be recruited in large number due to geographical proximity, which made the recruitment easiest.
However the need of the hour made the adherence to the principle of broad geographical distribution difficult to uphold. The result which came, gave a very imbalanced picture of the staff composition. Thus, in 1946, 83.8 percent of the professional staff were the nationals of the 11 most substantially over represented nations. In the third quarter of 1947, 13 nations had contributed a total of 721 staff members out of a total of 902 in the professional and higher grade posts of the internationally recruited staff, other than those in posts requiring special language qualifications. In 1947, 31 member states were clearly under-represented including the Soviet Union, India, and certain other regions such as Latin America and the Middle East.  

Consequently, the problem of geographical imbalance in staff representation into the Secretariat remained unsolved from the very beginning, inspite of great efforts made by successive Secretaries General to minimise it.

The first Secretary General faced a lot of problems in the appointment of Assistant Secretaries General, the

reason being that the Charter was silent on the subject and the Preparatory Commission only recommended on the matters related to their responsibility and supervision of Departments or Services. It did not say any thing about how they would be selected for appointment by the Secretary General. This led Trygve Lie, the first Secretary General to be pressusised by the Five Great Powers. All these powers made it clear to the Secretary General, that he had to go by the decision made by them in the appointment of Assistant Secretaries General, according to which

"the USSR had reserved for itself the post of Assistant Secretary General for Security Council, the United States that of Administrative and Financial, the United Kingdom that of Economic Affairs, France that of Social Affairs, and China that of Trusteeship Council Affairs". 6

The agreement reached at this stage among the Great Five was unofficial. It had no legal authority which the Secretary General to follow. However, it became the first precedent for the occupation of the Key posts by the Great Powers, and thus a trend developed that was to remain in operation in the years to come.

The success, which the great powers got through exercising national pressure in the appointment of the staff for the Secretariat posts developed as a convention.

6. Ibid. pp.11-12.
This was so not only in the case of the higher level officials, but also in the allocation of lower ranking posts. The principle of geographical distribution mentioned in the Charter proved to be a means for them to plead their cases and also to lobby for their candidates, whom they wished to be appointed to the Secretariat posts. Another opportunity was provided to the great powers through the practice of seeking the help from the governments by the first Secretary General in finding necessary recruits for the Secretariat. This governmental help became a tradition inspite of being contrary to the principles of the Charter.

In September 1948, for the first time, Trygve Lie proposed a formula for giving a turn in the interpretation of the principle of geographical distribution, enunciated in Article 101(3) of the Charter into a practicable administrative detail for the use of recruitment of Secretariat staff. The Secretary General pointed out that the meaning of the principle of geographical distribution which was implied, not necessarily that nationals of a particular member state should have a specified number of posts and of a particular grade or grades allocated to them or that a particular percentage of the total outlay
in salaries should be reserved for them. However the primary essence to be cared for was that, the UN administration should be satisfied that it would be enriched by the experience and culture which each member nation can provide, and that each member state should be satisfied that its own culture and ideology had made a full contribution to the Secretariat.

The Secretary General considered that any rigid mathematical formula, whether related to national income, literacy, financial contributions to the UN budget, or any other criterion would reduce the necessary administrative flexibility. There was no alternative to basing geographical distribution on the budgetary contributions of the member states. However, General Assembly resolution 153 (A/1) of 15 November 1947, which was considered as a basis of the future recruitment policies in the Secretariat. It permitted a margin of 25 percent above or below national quotas, in the hope that this margin would not be applicable in the number of nationals from member states contributing more than 10 percent of the total budget. Member States whose nationals were within the limits of this margin (desirable

range) would not be regarded as over represented if the number of its nationals in the Secretariat was less than four. 8

For the purpose of solution to all the controversial issues concerning international civil service recruitment, the General Assembly setup an International Civil Service Advisory Board (ICSAB) by resolution 13 at its first session on 13 February 1946. The aim of its establishment was to advise the Secretary General on the methods of recruitment of the staff for the Secretariat and on the means by which common standards of recruitment in the Secretariat and the Specialized Agencies may be ensured. The Board submitted an exhaustive report in March 1950 on recruitment methods and standards for the United Nations and Specialized Agencies. Further, it made some additional contributions on the methods of recruitment, the confirmation of the main features of the Preparatory Commission recommendation. 9

Administrative Committee on Coordination appointed a committee of experts to work for a better General System on Salaries and Allowance. The Committee

8. Secretary General's Bulletin No.77, 3 GAUR, Plenary Meetings p.160.
submitted its report after a wide discussion to the General Assembly and the Assembly adopted it in December, 1950 by resolution 470 at its fifth session. The Committee of Experts pointed out in its report that definite security of employment, adequate remuneration and retirement pensions were necessary conditions for the recruitment and continuation of high quality officials.10

As time went on it became obvious that the Secretariat had become to a great extent a body of tenured officials. There was little hope for correcting the imbalance in its geographical distribution. In 1956, Hammarskjold, second UN Secretary General observed that in view of the large number of permanent appointments, opportunity for change in the nationality pattern was restricted. The process of ensuring the wide geographical distribution mentioned in the Charter, required therefore, a continuous, long term efforts.11

Hammarskjold opined that to ensure merit and quality in the character of staff of the Secretariat, the majority of the staff would have to serve on a permanent basis. However, he first preferred the use of fixed term

10. Ibid. p. 36.
appointments as a way of creating a quicker turn-over which would help in the creation of greater geographical balance without sacrifice to the stability provided by a career principle. He also advanced a greater administrative freedom for the movement of staff within the approved budget. He opined that since the Secretariat was one and indivisible, the Secretary General should be able to transfer both posts and staff between departments and offices so as to use that staff to its best advantage and where the individuals were most required. This policy of Hammarskjold, which came to be known as "CONSOLIDATED MANNING TABLE" gave him the necessary administrative flexibility to promote staff by moving posts around within the Secretariat.\textsuperscript{12} It also enabled him to neutralise the effect of situations in which key posts in a unit were held by staff members of the same nationality. This plan made it possible to both opportunities for promotion and for better geographical balance within the different departments of the Secretariat.\textsuperscript{13} With the help of this principle, the Secretary General had tried to avoid the domination of one particular country or

\textsuperscript{12} A/3041, 10 GAOR, Agenda Items 38 and 47, pp. 41-42.
region in particular units of the Secretariat.

The pressure for more rapid improvement of geographical distribution mounted in the Fifth (Administrative and Budgetary) Committee of the General Assembly. With the admission of new states to the UN membership after 1955, the underrepresented states were increased and were dissatisfied not only with the slow rate of improvement of the geographical balance in the staff but also with the contents of the 1948 formula which failed due to its stress on budgetary factors. It inadequately reflected, in their view, the principle of equality of states and the differences in population. During the 12th session of the General Assembly in 1957, it was repeatedly stressed by the delegates of underrepresented member states, that in a political organization such as the United Nations, the principle of equitable geographical distribution should be given primary or at least equal, not secondary importance in the composition of a principal organ. ¹⁴

In 1958, the Secretary General started to use the term "DESIRABLE RANGE OF POSTS" in tables showing the nationality and the number of staff in posts subject to geographical distribution. The minimum desirable range

¹⁴. Ibid.
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14. Ibid.
of posts was one to three for each member state whose rate of assessment for budgetary contributions was less than 0.14 percent. The General Assembly passed resolution 1436(XIV) in 1959, that made it clear that vacancies in posts at higher levels should be filled, as far as possible, by qualified candidates who were representative of geographical areas and main cultures, either not represented, or inadequately so in such posts.

The General Assembly appointed a Committee of Experts by passing Resolution 1446(XIV) in December 1959, whose mandate was to work with the Secretary General to review the activities and organization of the Secretariat in order to bring about maximum economy and efficiency. With the help of Resolution 1559 (XV) of 1960, the General Assembly expanded its terms of reference to include questions relating to the geographical distribution of staff, instructing it to further study the categories of posts subject to geographical distribution and the criteria for determining the range of posts for each member country with a view to securing a wide geographical distribution of posts.

The decision to revise the original terms of the Committee was the result of two developments. The first was the "Troika" arrangement proposed by the Soviet Union
in 1961. The Soviet Union made it clear that the United Nations was primarily a political organization, it could not fulfill its multifarious obligations, unless the different regions, with distinctive political features, get adequate representation in the Secretariat. The Soviet Union proposed that the Secretariat should equally represent the three groups of member countries, described as the "Socialist" states, the "neutralist" states and "United States and its Allies". However it was opposed by the Western countries on the basis of Article 100 and 101 of the Charter in which geography was subordinated to the consideration of merit.

In the second development, the newly admitted member states opined that the method for determining a desirable range of posts for each member country was against the basic charter, which accorded equality to each member state irrespective of its material resources.¹⁵

The Committee of Experts on the activities and organization of the Secretariat submitted its report in June 1961¹⁶, accepting in principle with most of the criticisms levelled against the "desirable range" formula.

¹⁵. See A/4642, 15 GAOR, Annexes, Agenda Item 60, pp. 22-23.
¹⁶. A/4776, 16 GAOR, Annexes, Agenda Item 61, p.1
They developed a formula which would take into account all the factors overlooked earlier. According to it, every member country would have at least two staff members in the Secretariat in order to reflect the membership in the United Nations. To give due importance to the population factor, from each member state one staff was to be recruited for each 10 million population up to 150 million, and one additional staff member would be allotted for each 30 million population in excess of 150 million. The remaining posts available under geographical distribution would be allocated to member states in accordance with their contributions to the regular budget of the United Nations. For the high ranking posts in the Secretariat (D-2 and above) the committee proposed a similarly constructed formula for post distribution on a regional basis.16

The proposals of the Committee of Experts was debated in the Fifth Committee during the 16th General Assembly focussing on conflicting interpretations of the Charter. The western delegates made it clear that nowhere in the Charter was geographical basis as defined as being nationality representation based on Article 101(3) and the

Secretariat staff must be considered as individuals, rather than as nationals, of member states and it must be protected by Article 8 of the Charter.

The Fifth Committee faced two dissimilar draft resolutions, was unable to reach an agreement and asked the Secretary General to solve the problem with the help of his effective ideas. The Secretary General presented his views in the 17th session of the General Assembly held in 1962. He confirmed in principle all the major suggestions of the Committee of Experts. He made it clear that no mathematical formula proved to be a practical substitute of the discretion and good sense of the chief administrative officer. He proposed that for professional posts in the Secretariat (excluding those with special language recruitment), equitable geographical distribution should account for a minimum range of one to five posts attributable to membership, and the reservation of 100 posts to be assigned on a regional basis. To consider such differences as in the size of population, as do not receive sufficient evaluation in other two factors and the balance of posts should be distributed on that basis of the ratios of assessed contributions. These recommendations of the Resolution 1852 (XVII) of 1962. It also called for a more balanced
regional composition of the staff at the D-I level and above. 17

Resolution 1852 based on Secretary General's formula with minor changes, still form the basis of the present system. Accordingly, the principle of geographical distribution was to be reflected in desirable ranges calculated for each state in the following manner:

"A range of one to six posts was to be assigned to each state by virtue of its membership in the organization, out of 2400 professional and higher level posts financed under the regular budget in the UN Secretariat, 200 posts were to be distributed among the geographical regions, taking into account the population factor. The remaining posts would be allocated to each state on the basis of its contribution to the budget. Obviously as the number of states increase, the number of posts attributed to the membership factor would increase, while the number of remaining posts attributed to the factor of contributions to the budget would decline. 18

Resolution 2736(XXV) of 1970 of the General Assembly made it clear that in posts involving complex duties and responsibilities, the General Assembly considered that career appointments were preferable to fixed term posts which were growing in number. And with so many additional guidelines, the suitability of a candidate for appointment had to be judged in addition to 1962 formula.) against

17. See A/5270, 17 GACR , Annexes, Agenda Item 70.
such additional guidelines as,

(a) the need to improve the composition of the staff by working language, by age and by sex;
(b) determination of the career versus fixed terms ratio;
(c) for senior posts, recruitment among the regions and within the regions.\textsuperscript{19}

The 'Group of Experts' proposed in 1975 the structure of the United Nations System that countries within a region or within a sub region agree among themselves to pool the number of posts allocated to them for purposes of satisfying the requirements of equitable geographical distribution.\textsuperscript{20} As a result there was a shift of demand from a national to a regional balance in the composition of the Secretariat.

The pressure from underdeveloped countries made it possible for the General Assembly to adopt Resolution 3147B at its 30th session, in which preference for nationals of developing countries over nationals of other under-represented member states was introduced in

19. Ibid, pp. 41-42.
the Secretariat.

The General Assembly at its 35th Session (1980) requested the Secretary General to calculate new desirable ranges for all member states for being applied from January 1, 1981, on the basis of the following criteria:

a) base figure for the calculations will be 3350 posts,

b) membership factor will be based on 7.75 as the mid. point of the minimum desirable range;

c) population factor, to which 240 posts shall be allocated will be directly related to the populations of the various regions and be distributed among the regions in proportion to their population.

d) contribution factor will be based on the distribution of the remaining posts in proportion to the scale of assessments.

e) Upper and lower limits of each range will be based on a flexibility of 15 per cent or down from the mid-point, but not less than 5.75 posts up or down.

These above criteria were put into effect on January 1, 1981.21

21. See A/c, 5/41/6 p. 4.
The base figure 3350 posts for the calculation as on January 1, 1981 was reduced to 3000 from January 1, 1986, when the United Nations Industrial Development Organization (UNIDO), with 347 staff members in posts subject to geographical distribution, separated from the United Nations. This base figure is further reduced to 2700 in 1987.\textsuperscript{22}

However, unless the functions of the Secretariat are discussed, the structure and composition of it remain unclear. To make it clear, functions of the UN Secretariat will be discussed in the next chapter.

\textsuperscript{22} See A/42/636, Agenda Item 122(a) 16 October, 1987, p.6.