

782 (VIII). Personnel policy of the United Nations

A

AMENDMENTS TO THE STAFF REGULATIONS OF THE UNITED NATIONS

The General Assembly

Adopts, as amendments to the Staff Regulations of the United Nations, the text annexed to the present resolution. These amendments shall become effective from the date of their adoption.

*471st plenary meeting,
9 December 1953.*

ANNEX

Staff regulation 1.4 (amended text)

Members of the Secretariat shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall not engage in any activity that is incompatible with the proper discharge of their duties with the United Nations. They shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status, or on the integrity, independence and impartiality which are required by that status. While they are not expected to give up their national sentiments or their political and religious convictions, they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

Staff regulation 1.7 (amended text)

Staff members may exercise the right to vote but shall not engage in any political activity which is inconsistent with or might reflect upon the independence and impartiality required by their status as international civil servants.

Staff regulation 9.1 (a) (additional provisions)

The Secretary-General may also, giving his reasons therefor, terminate the appointment of a staff member who holds a permanent appointment:

(i) If the conduct of the staff member indicates that the staff member does not meet the highest standards of integrity required by Article 101, paragraph 3, of the Charter;

(ii) If facts anterior to the appointment of the staff member and relevant to his suitability come to light which, if they had been known at the time of his appointment, should, under the standards established in the Charter, have precluded his appointment.

No termination under sub-paragraphs (i) and (ii) shall take place until the matter has been considered and reported on by a special advisory board appointed for that purpose by the Secretary-General.

Finally, the Secretary-General may terminate the appointment of a staff member who holds a permanent appointment if such action would be in the interest of the good administration of the Organization and in accordance with the standards of the Charter, provided that the action is not contested by the staff member concerned.

Staff regulation 9.3 (additional paragraph to become sub-paragraph (b))

(b) The Secretary-General may, where the circumstances warrant and he considers it justified, pay to a staff member terminated under the final paragraph of staff regulation 9.1

(a) a termination indemnity payment not more than 50 per cent higher than that which would otherwise be payable under the Staff Regulations.

B

AMENDMENT TO THE STATUTE OF THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL

The General Assembly

Adopts, as an amendment to the Statute of the United Nations Administrative Tribunal, the text annexed to the present resolution. This amendment shall become effective from the date of its adoption.

*471st plenary meeting,
9 December 1953.*

ANNEX

Article 9 (amended text)

1. If the Tribunal finds that the application is well founded, it shall order the rescinding of the decision contested or the specific performance of the obligation invoked. At the same time the Tribunal shall fix the amount of compensation to be paid to the applicant for the injury sustained should the Secretary-General, within thirty days of the notification of the judgment, decide, in the interest of the United Nations, that the applicant shall be compensated without further action being taken in his case; provided that such compensation shall not exceed the equivalent of two years' net base salary of the applicant. The Tribunal may, however, in exceptional cases, when it considers it justified, order the payment of a higher indemnity. A statement of the reasons for the Tribunal's decision shall accompany each such order.

2. Should the Tribunal find that the procedure prescribed in the Staff Regulations or Staff Rules has not been observed, it may, at the request of the Secretary-General and prior to the determination of the merits, order the case remanded for institution or correction of the required procedure. Where a case is remanded the Tribunal may order the payment of compensation, not to exceed the equivalent of three months' net base salary, to the applicant for such loss as may have been caused by the procedural delay.

3. In all applicable cases, compensation shall be fixed by the Tribunal and paid by the United Nations or, as appropriate, by the specialized agency participating under article 12.

C

REVIEW OF THE STAFF REGULATIONS OF THE UNITED NATIONS, INCLUDING THE PRINCIPLES AND STANDARDS APPLIED IN THEIR IMPLEMENTATION

The General Assembly

1. *Decides* to undertake, at its tenth session in 1955, on the basis of a report to be submitted by the Secretary-General and of the comments thereon of the Advisory Committee on Administrative and Budgetary Questions, including their recommendations as to such further action as may be required of the General Assembly, a review both of the principles and standards progressively developed and applied by the Secretary-General in his implementation of the Staff Regulations and of the Staff Regulations themselves;

2. *Requests* the Secretary-General to circulate to the governments of Member States, not later than four weeks before the opening date of the tenth session of the General Assembly, the report and comments referred to in paragraph 1 above.

*471st plenary meeting,
9 December 1953.*