



ACCOUNTABILITY AT THE UNITED NATIONS: A CORNERSTONE OF EFFECTIVE USE OF RESOURCES

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One challenge in any organisation, be it in the public or private sector, is to ensure that wrongdoing is exposed, and the perpetrators penalized and/or discharged from service. This is not some abstract goal: that the wicked should be hanged. Rather it has an economic rationale: whatever an organisation's goals, the rules that govern its employees are presumed to exist to make the organisation more effective and efficient given (what are always) limited resources.

Where employees of an organisation disregard those rules, for example by misappropriating for themselves or their friends money that properly belongs to the organisation as a whole or is earmarked for certain of the organisation's goals, the organisation will be less efficient. This is obvious. The challenge, and where the controversy lies, is to create an institutional culture that promotes exposure of the wrongdoing that inevitably occurs, to some degree, in every organisation by virtue of the moral frailties of humankind. In short, we do not want to see incentives that wrongdoing be covered up. In such a scenario, there will be no sense of deterrence, and people inclined to do wrong will not have the incentives to restrain themselves.

Why, one might ask, would the management of any organisation have an incentive to cover up wrong-doing? Surely management will be judged by the organisation's effectiveness (by voters in the case of public sector organisations; by shareholders in the private sector), and managers will themselves pay a penalty if they permit misconduct. Moreover, criminal and civil laws may apply to incentivize managers to encourage a culture that encourages speaking out against wrongdoing.

Yet things are not always so simple. Because the operation of all organisations can be opaque to anyone other than an insider, wrongdoing within an organisation often cannot be detected unless other employees expose it. Insiders who come forward, however, may themselves be exposed to retaliation simply because their managers may be party to the misconduct.

All this is the rationale for whistleblower protection policies: they remove the perceived disincentives for employees observing wrongdoing from speaking out about it by protecting them from reprisal. However, in the United Nations there is a structural disincentive against making such policies effective: there is a culture of secrecy at the UN coupled with a rhetorical commitment to numerous abstract and often unmeasurable goals.

In part this culture is due to the United Nations' lack of democratic accountability: there are no disaffected voters to de-select the UN's senior management on the grounds that they are wasting money. Moreover, by convention and treaty, actions of UN officials and agencies are not subject to external legal review.

Perhaps more fundamentally, many of the UN's outputs are so hard to measure, and the variety of activities it purports to undertake so broad, that absent some periodic scandal, only a handful of true insiders may know whether it is doing a good job at all. This makes the loss of reputation by means of failure to achieve its goals a more gradual slope, thus creating counter-incentives that inhibit whistleblowing. Whistleblowing may come to be seen by senior managers as an existential threat to the organisation because it contradicts the narrative told by them about organisational effectiveness.

Let's admit it: at the United Nations, it is very difficult to understand what large parts of the Organisation are doing or ought to be doing; and hence very hard to establish whether they are effective in doing it. This culture is precisely the opposite of efficient use of public money: the organisation's goals are often obscured in a blizzard of language and resolutions and bulletins that very few people outside the UN itself have the time or patience to try to understand.

Bureaucracy that is incomprehensible to outsiders loses its incentive for self-restraint. Its managers prefer to see the proliferation of bureaucratic structures, rather than its constraint. Think about it: by elaborating more labyrinthine bureaucratic structures, managers acquire greater authorities, manage higher budgets and more staff, and acquire increasing prestigious emoluments of office. Arguably the United Nations -- like many other intergovernmental organisations -- is accountable to nobody, because the interests of its individual member states are too diffuse for its actions to have a substantial impact upon their domestic policies. Accordingly in the detail of many of its operations, the UN has become incomprehensible to outsiders. This in itself is a form of misconduct on the part of the Organisation as a whole because it generates gross waste and it makes the desirable goals of the United Nations exceptionally difficult to measure. An empirical exercise in efficiency analysis becomes virtually impossible.

The solutions to such a malaise are complex. While many have criticized the United Nations, relatively few have offered constructive solutions to render it more effective or even to measure what we mean by effectiveness. But I think we can offer some ideas of where to start in the exercise that inevitably awaits the next Secretary General in reforming this diffuse, inchoate international administrative structure.

The most effective critics of the United Nations are those within the system itself, because it is all but incomprehensible to anyone outside it. Their voices need to be heard. We can call those people whistleblowers; dissidents; staff representatives; those who refuse to ignore corruption or malfeasance; or just those who think the Organisation and all its agencies can and should be better run and would like to express their ideas to impartial and fair listeners. These people must be able to speak their minds, in the interests of free exchange of ideas, without fear of retribution. Therefore the policy that protects them must be effective.

Those who retort that whistleblowing, or institutional criticism, might be used as form of office politics to attack the reasonable discretion of one's managers, do have a point but not an unassailable one. True, there cannot be so much criticism that everything is said in a critical vein and nothing is ever constructive. In such a scenario, employees no longer do their jobs. That is why a legal framework for a bureaucracy such as the United Nations, in which employees understand both what they are obliged to do and how they can speak out without fear of retaliation, must be clear.

One might say that I am tilting on a windmill here: the United Nations has so many staff rules and regulations that the UN official's job is over-regulated and indeed I should be pushing in the opposite direction. Indeed, there is much truth in this. Like the bureaucracy itself, the UN employee's life is an unfathomable morass of rules and regulations, often arbitrarily applied either because nobody really understands them or by reasons of personal partiality that infect the different personalities in every office. This makes a staff member's professional life very difficult on occasion. The solution is to simplify those rules, which vary in absurdly complex degrees from one agency to the next; to make it clear what each UN official should be doing, and indeed what each UN organ should be doing. In effect, regulations should be fewer and clearer in order to ensure that UN staff have avenues to hold others accountable, even as they are themselves held accountable.

Then there must be a legal mechanism that strictly and impartially enforces what must be a massively simplified set of rules. That legal mechanism cannot simply be part of the same

bureaucratic morass, lest it dissolve into as much uncertainty and confusion as the staff whose rights and responsibilities the legal mechanism is intended to enforce. It must be independent and with its own sense of fairness. A judge working within the UN system must be capable of issuing decisions that accommodate clear rules but also apply common sense to employment situations in a distinctive public international Organisation.

Achieving all of this is a mammoth task. The rules and regulations governing the responsibilities of employees of the United Nations and its specialist agencies need dramatic overhaul. Employees' rights are important, as in any labor law. But this is not in fact the main reason why this overhaul is necessary. It is needed to make the Organisation more effective given its limited resources and the ever-greater demands of its member states in a perilous world. It is also needed so that we may begin the task of working how to assess how effective the United Nations is, and how to make it more so.

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