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EIGHTIETH SESSION

**REPORT ON THE NINETY-SEVENTH SESSION
OF THE EXECUTIVE COMMITTEE**

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REPORT ON THE NINETY-SEVENTH SESSION OF THE EXECUTIVE COMMITTEE

INTRODUCTION

1. The Executive Committee convened for its Ninety-seventh Session at the Palais des Nations, Geneva, on Tuesday, 6 June 2000, under the chairmanship of Mr. E. Penrod (Costa Rica). Three meetings were held. 1/
2. The session was attended by representatives of the following members of the Executive Committee 2/: Bangladesh, Belgium, Canada, Colombia, Costa Rica, Denmark, Ecuador, Germany, Honduras, Italy, Japan, Kenya, Paraguay, Poland, the United States of America and Yemen.
3. In addition, the following Member States were represented by observers: Albania, Angola, Argentina, Armenia, Australia, Austria, Bulgaria, Chile, Croatia, Cyprus, the Czech Republic, the Dominican Republic, Egypt, El Salvador, Finland, France, Greece, Guatemala, Haiti, Hungary, Israel, Jordan, Latvia, Liberia, Lithuania, Luxembourg, Morocco, the Netherlands, Norway, Pakistan, Panama, Peru, the Philippines, Portugal, Republic of Korea, Romania, Senegal, Slovakia, South Africa, Sri Lanka, the Sudan, Sweden, Switzerland, Thailand, Tunisia and Uruguay. 2

CREDENTIALS OF REPRESENTATIVES AND OBSERVERS

4. The Executive Committee took note that the Director General had examined the credentials of the representatives of and observers for Member States and found them to be in order.

ELECTION OF OFFICERS

5. Mr. Penrod (Costa Rica) was unanimously elected Chairman, and Mr. Leggeri (Italy) was unanimously elected Vice-Chairman.

ADOPTION OF THE AGENDA

6. The Executive Committee adopted the agenda subsequently issued as document MC/EX/622/Rev.2.

1/ The discussions are reported in greater detail in the summary records of the meetings (MC/EX/SR/429, MC/EX/SR/430, MC/EX/SR/430/Corr.1 (English only), MC/EX/SR/431 and MC/EX/SR/431 (English only)).

2/ See List of Participants (MC/EX/628/Rev.1).

GENERAL DEBATE

(i) Opening statement by the Director General

7. The Director General stated that the review of some of IOM's accomplishments of the past six months illustrated the Organization's growth and importance, which led to the key question of the level of the Budget for 2001.

8. In Asia, IOM was increasing its activities and presence in all parts of the region: to follow up the Bangkok Declaration and the Timor emergency, to support existing and expanding programmes, and to respond to the interest in and need for new migration management, capacity building and anti-trafficking programmes. Bhutan had applied for observership. Large-scale returns to Afghanistan were under way and an International Migration Policy Course had recently taken place in the Kyrgyz Republic.

9. IOM was also expanding in Africa. Côte d'Ivoire, Burkina Faso and Guinea had applied for membership. The new regional migration process in Southern Africa was taking shape. IOM was re-establishing a presence and preparing for emergency or post-conflict activities in a number of countries. Regional contacts had been reinforced, migration and migration health had been introduced into the development agenda, and IOM was looking ahead to a new phase of the Return of Qualified African Nationals programme.

10. Progress had been made in the Mediterranean region. Algeria had applied for membership. Possibilities in the Middle East were being explored.

11. In the Americas, regional processes were progressing well. IOM was responsible for the "virtual secretariat" of the Puebla Process. Belize had applied for membership. At the recent Buenos Aires meeting, the governments of South America had agreed to move towards a regional process like the Puebla Process. The IOM Mission in Colombia was being reinforced to help internally displaced persons, and IOM had been asked by Haiti and Cuba for help with the return of boat people.

12. In Europe, IOM had a wide range of programmes and there were more possibilities on the horizon. The former Yugoslav Republic of Macedonia had applied for observership. Returns to Kosovo and Bosnia and Herzegovina, and between Bosnia and Herzegovina and Croatia were continuing. IOM's post-conflict activities in Kosovo provided a potential model for programmes elsewhere. Mass information campaigns, particularly on counter-trafficking, were in growing demand. IOM had intensified its dialogue with regional institutions and governments on a range of important migration issues.

13. With regard to Field Missions, IOM was moving towards a new definition of regional functions to enhance flexibility, efficiency and response-capacity. There had also been two important developments in institutional relationships: intensified cooperation with ILO and new arrangements with UNHCR for cooperation on the transport of refugees and returnees.

14. Turning to the administrative core of IOM, he explained that the expansion in activities and membership meant more demands on the Organization. That expansion was expected to continue. The administrative structure needed to grow to keep up with the increasing demands on the Organization.

IOM intended to remain quick to respond, flexible, and focused on results, but the restriction on the growth of the Administrative Part of the Budget for the past five years had in effect meant an annual reduction. That question had already been raised and discussed, and would be addressed later during the meeting. Some key points should, however, be borne in mind.

15. IOM needed relief from zero nominal growth because all the Organization's reserves had been used up and its ability to function effectively had begun to suffer real damage. If there was no relief from zero nominal growth, the Administration would have to implement radical changes. Options that would have to be considered included reducing services, moving functions out of Geneva, ceasing to apply United Nations personnel standards, increasing overhead charges on projects and closing posts.

16. There were several different approaches to obtaining the necessary relief. The Model Administrative Part of the Budget, based on a strict application of Council Resolution No. 949 (LXXII), was one example, but it should not be seen as a "take it or leave it" proposal. The Model should not be considered as necessarily the first draft of the Programme and Budget for 2001. The process of designing next year's draft budget would, as always, involve extensive consultation.

17. The Administration needed clear guidance from the meeting on whether the zero nominal growth ceiling would be lifted. Decisions taken on that question during the present meeting would have a profound effect on the future of the Organization and on the future of multilateral efforts at migration management.

18. The Executive Committee took note of the Director General's statement.

(ii) General statements by delegations

19. All speakers who took the floor stressed the importance of IOM's work in various regions of the world. The ideals on which the Organization was founded undoubtedly addressed the concerns of the international community, and the Administration's efforts to make IOM more flexible and efficient and to improve its reaction time, were commended. The expansion of the membership of the Organization, especially to include more African countries, was welcomed and cooperation with other organizations, particularly ILO, OAU, UNHCR and OSCE, was praised.

20. With regard to the principle of zero nominal growth in the Administrative Part of the Budget, some speakers considered that the budget should be increased in the light of the expanding workload of the Organization. One group of countries was, however, of the view that zero nominal growth should be retained. A delegate pointed out that large operational programmes generally generated new voluntary funding but policy work often did not. Accordingly, if Member States wanted IOM technical cooperation, migration policy assistance and related services, it was essential to ensure that the Organization had the core structure necessary for the performance of those functions. Other speakers drew attention to the serious economic constraints being faced by certain countries, which made it difficult to support any budgetary increase. Several delegates stressed that core staff positions should be incorporated in the Administrative Part of the Budget.

21. Concerning the role of IOM, one speaker said that the service-oriented character of the Organization should be retained. Another speaker said that there had been little attempt to consult Member States about the 30 per cent increase in the revised Programme and Budget for 2000. The creation of Missions with Regional Functions in countries that were not members of IOM also gave rise to concern.

22. Delegates called for IOM to take a balanced approach to its programme development and budget allocations, paying particular attention to clarity and control in financial matters, as well as operational aspects such as gender issues and a focus on illegal migration. Attention was drawn to the smuggling of and trafficking in human beings, which was a complex, international problem requiring a comprehensive and coordinated international response. The view was expressed that any strategy to curtail irregular movements of people must address all the circumstances that allowed such movements to exist, and that IOM could play a wider role with regard to readmission and voluntary return. There was a suggestion to set up a working party within IOM to examine the issue of migration in an era of globalization. One delegate expressed interest in the smooth transition from emergency humanitarian operations to longer-term development assistance, in the context of the development of IOM's post-conflict activities.

23. One speaker said that the proposal for a new structural plan for IOM indicated a lack of continuity in implementing Council decisions. Specific information was requested on cuts affecting the Buenos Aires Subregional Office and other Offices in Latin America. Concern was also expressed regarding the insufficient resources allocated to the Subregional Office in Dhaka.

24. Responding to the general statements, the Director General said that in the process of reorganization - which he hoped would soon be concluded - the essential principle of decentralization had not been abandoned. Headquarters had become more oriented towards providing specific expertise and accomplishing specific functions. Progress had been made in the gender composition at Headquarters, and he was keen to advance women in the Organization and put them in positions of real authority and influence.

25. With regard to Missions with Regional Functions, he said that the aim was to give IOM greater flexibility and greater sensitivity to changing needs in various parts of the world. In this regard the proposed Missions with Regional Functions carried out different functions of a regional nature. Regarding the appropriateness of basing a Mission with Regional Functions in a non-member State, he explained that the Office in Addis Ababa was justified on the basis of liaison functions with the OAU and the United Nations Economic Commission for Africa.

REPORT OF THE DIRECTOR GENERAL ON THE WORK OF THE ORGANIZATION FOR THE YEAR 1999

26. One speaker welcomed the donor support that had enabled IOM to produce an awareness-raising video which constituted an effective tool in the fight against sex trafficking. Another speaker, referring to the composition of staff positions in the Organization, expressed disappointment at the scant representation of developing countries over the past three years. She asked whether the views of the Staff Association had been taken into account in the process of updating the Staff Rules.

27. The Director General stressed that the Organization had every intention of recruiting more staff from developing countries and explained that the main reason for the current state of affairs was that most vacancies had been open to internal candidates only, thus perpetuating the existing staff composition. This situation was the result of the regime of zero nominal growth. A second reason was that the Organization received fewer applications from developing-country candidates. He recalled, nevertheless, that over half the Organization's payroll was devoted to staff working on projects, many of whom were recruited locally.

28. The Executive Committee took note of the report of the Director General on the work of the Organization for the year 1999 (MC/2006).

FINANCIAL REPORT FOR THE YEAR ENDED 31 DECEMBER 1999

29. The Rapporteur of the Subcommittee on Budget and Finance said that, at the Subcommittee's recent session, the representative of IOM's External Auditors, the Austrian Court of Audit, while reporting that the financial statements of the Organization gave a true and fair view of the resources and expenditure situation of the year under consideration, had pointed to a number of areas that required attention. Thus, in the Administrative Part of the Budget, expenditures had exceeded resources by CHF 395,957 owing to non-payment of assessed contributions by some Member States. IOM's operational programmes had increased significantly, by about USD 53 million as compared with 1998. The Organization had virtually eliminated the operational underfunding, with a small balance of some USD 31,500 remaining. It had been reported that certain unsupported and questionable disbursements had been made in relation to IOM's operations in Guatemala, with regard to the administration of the FONAPAZ Fiduciary Fund on behalf of the Government of Guatemala. Following discussion, the Subcommittee had decided to recommend that the Executive Committee approve the Financial Report for 1999.

30. One delegate requested clarification as to when a decision would be taken on the recommendation concerning the 1998 carry-forward of CHF 146,437. The Legal Adviser replied that the matter would be taken up under the discussion of the use of the surplus in the Administrative Part of the Budget.

31. The Executive Committee took note of the financial report for the year ended 31 December 1999 (MC/2005 and MC/2005/Corr.1 – English only) and adopted the resolution on decisions taken by the Executive Committee (Resolution No. 100 (XCVII)).

STATEMENT BY A REPRESENTATIVE OF THE STAFF ASSOCIATION

32. The Chairman of the Staff Association Committee (SAC) said that the Staff Association hoped for progress in relations between staff and management in IOM regarding conditions of service and personnel policy. The Staff Association had repeatedly stressed that IOM needed a fair, clear and consistent staff career development policy in order to retain and attract qualified staff, and regretted the lack of a staff performance evaluation system and a minimum length of service before promotion could be considered. It seemed that experience and knowledge of the work of the Organization were no longer valued. On two recent occasions, the Staff Association had complained about the non-

observance of staff rules and procedures. Furthermore, the agreed mobility policy concerning the posting and rotation of staff had not been implemented. Instead, transfers of staff were decided on a short-term ad hoc basis, often in disregard of the standard length of assignment for a given position.

33. Concerning the preliminary budget proposals for the year 2001, the proposed transfer of 22 general service positions from the Administrative Part of the Budget to Discretionary Income would, if approved, render the employment situation of many staff more vulnerable. Some of the positions were necessary for the execution of basic functions of IOM, yet the future of those positions would depend on the level of Discretionary Income, which could be neither foreseen nor guaranteed. Furthermore, a smaller proportion of Discretionary Income would be available for the development of new programme activities - the very activities that would ensure the future of the Organization and its staff. The proposal took the application of Council Resolution No. 949 (LXXII) out of its original context.

34. The above-mentioned concerns and the suggestion that IOM might abandon United Nations personnel standards led to stress and an unhealthy working atmosphere. Staff members must be placed at the centre of work relations and must not be stretched to breaking point. The Staff Association thus supported the Director General's request to unfreeze zero nominal growth so as to help increase limited staff resources where needed. A poor working atmosphere, uncertainty about working conditions, and the perceived lack of career development and prospects might result in the loss of experienced and hard-working staff, to the ultimate detriment of the Organization's programmes.

35. Several speakers expressed concern with regard to the points raised by the Chairman of the Staff Association Committee and indicated that staff were the Organization's most precious resource. Mention was also made of the recruitment of staff from developing countries. A delegate pointed out that if the Organization wished to have a staff that reflected the diversity of its membership, it had a choice between finding additional resources or appointing new staff in response to natural attrition.

36. One delegate said that core staff should continue to be financed from the Administrative Part of the Budget. That did not necessarily imply an increase in the budget or the abandonment of zero nominal growth: the number of posts should be maintained at the current level.

37. Another speaker proposed that the Director General prepare a report on recruitment, conditions of service and human resources development policy, setting out his vision for the future, for consideration by the Council at its session in November 2000. That proposal was seconded by two speakers.

38. The Director General responded that IOM was a people-oriented organization and agreed that its human resources were its most important asset. He was pleased to accept the proposal that a report on personnel policy should be prepared in time for the Council session in autumn 2000. While apologizing for any mistakes or errors of judgement in personnel management, he stressed that the vast majority of personnel actions taken had been in accordance with the rules. Staff had sometimes been transferred to a new location and pulled out shortly afterwards. Such events were unfortunate, but inevitable in an organization whose responsibilities included humanitarian emergency response.

39. With regard to the transfer of 22 general service posts, he said that if those posts were put back into the Administrative Part of the Budget, a 12.5 per cent increase in the budget would seem a modest request. The relationship of an individual staff member to IOM was, however, governed by that person's contract. Thus persons with a regular contract were guaranteed durable employment regardless of their place in the budget. Conceding that IOM was not strong enough on overall personnel policy, he expressed the hope that in a context of relief from zero nominal growth it might be possible to take the costly measures needed to set up better personnel systems, such as an effective personnel evaluation system, thereby diminishing the strain to which IOM's extremely hard-working and dedicated staff were subjected. He informed the meeting that the Organization had recently appointed an Ombudsperson and further promised that all the issues raised in the statement by the representative of the Staff Association would be taken very seriously.

40. The Executive Committee took note of the statement by the representative of the Staff Association.

USE OF SURPLUS IN THE ADMINISTRATIVE PART OF THE BUDGET

41. The Rapporteur of the Subcommittee on Budget and Finance recalled that several attempts to reach consensus on a systemic solution concerning the surplus in the Administrative Part of the Budget had failed. With regard to the surplus brought forward from 1998, the Council had agreed that the balance should remain frozen and its use be decided on by Member States at a later stage. The Subcommittee had accordingly decided to endorse the Administration's recommendation that the 1998 carry forward of CHF 146,437 in the Administrative Part of the Budget be used to partially offset the 1999 underfunding of CHF 395,957, leaving a net underfunding of CHF 249,520 to be carried forward to 2000.

42. The Executive Committee agreed to this recommendation.

43. The Executive Committee further agreed that attempts to reach a systemic solution on surpluses in the Administrative Part of the Budget should not be pursued further for the time being.

REVISION OF THE PROGRAMME AND BUDGET FOR 2000

44. The Rapporteur of the Subcommittee on Budget and Finance said that the Subcommittee recommended that the Executive Committee approve the Revision of the Programme and Budget for 2000 but that any definition of regional functions in the Field should be examined within the framework of the Programme Budget for 2001. Consequently, it was recommended that there should be no implementation until the Subcommittee and the Council had examined and formally approved the Programme and Budget for 2001. The question of Missions with Regional Functions should therefore not be the subject of a recommendation to the Executive Committee at its Ninety-seventh Session. The Subcommittee also appealed to Member States to provide the funds necessary to carry out all the operational programmes.

45. One speaker said that the budget for a financial year should be revised only in exceptional circumstances. The revised budget that had been submitted to the Executive Committee at its present session reflected an ad hoc approach. In particular, matters to be decided upon by the governing bodies, such as the restructuring of the Organization and the creation of new posts, should not have been included in the revised budget, but rather in the proposed budget for 2001. It would be desirable, in future, for the tables in the Operational Part of the Budget to contain separate columns for Earmarked and Discretionary Incomes, so that Member States could guide the Director General in directing funds to productive activities. In the United States Country Mission, there had been no change in the number of staff, so the increase of USD 393,600 in staff and office costs required explanation. Several speakers endorsed those comments and stressed the need for clarity and transparency.

46. Two delegates took the view that growth in the Operational Part of the Budget was an indication of the health of the Organization. Two other speakers, while agreeing with that view, found it disturbing that such growth should be attributable to activities that appeared to go beyond IOM's traditional functions, in particular the project for capacity building at the department of heart surgery and vascular diseases at Tirana University Hospital, Albania.

47. The Deputy Director General said that the project at Tirana University Hospital fell within the category of technical cooperation and had been executed at the request of Albania at the height of the crisis when there had been a large number of patients requiring surgery. An observer added that providing such emergency medical care outside the region would have been much more costly. Furthermore, such programmes anchored professional staff in their countries so that they would not need to migrate to pursue their field of expertise. Finally, IOM had been right to go ahead with the project as the activity did not come within the purview of other organizations.

48. The Administration explained that the increase in the costs of the United States Country Mission were related to the Operational Part of the Budget, where increases in project funds resulted directly from increases in programme activity. The Administration had been very conservative in preparing the original Programme and Budget for 2000, and had only included projects for which funding had appeared to be reasonably secure. The revision to the Programme and Budget for 2000 reflected activities that had subsequently been carried out or begun.

49. Replying to a question about the lack of "mass information" activities in Latin America, the Deputy Director General explained that such programmes were drawn up at the request of Member States.

50. Responding to queries relating to the planned seminar on Labour Migration and Development in the Mediterranean Basin, the Administration said that the project was being executed in cooperation with ILO and that an unforeseeable delay had taken place; because of the limited funding received, it had been decided to proceed only with the preparation of studies. ILO, as the donor agency, would have to be consulted with regard to the view expressed by two speakers that it was unnecessary to spend more money on studies that the countries concerned had not requested.

51. The Executive Committee approved the revision of the programme and Budget for 2000 (MC/EX/623), on the understanding that any definition of regional functions in the Field would be examined within the framework of the Programme and Budget for 2001 and that no implementation

would be carried out until the Subcommittee on Budget and Finance and the Council had examined and formally approved the Programme and Budget for 2001.

52. With regard to the draft resolution on the revision of the Programme and Budget for 2000 in document MC/EX/L/155 and after an explanation by the Legal Adviser, the Executive Committee decided, in operative paragraph 2, to deduct USD 32,500 from the Operational Part of the Budget, on the understanding that if, following discussions with Egypt and the other countries concerned, financing became available, the Director General would still be authorized to make the expenditure by virtue of operative paragraph 3 of the draft resolution.

53. The Executive Committee adopted the resolution on the revision of the Programme and Budget for 2000 (Resolution No. 101 (XCVII)), as amended.

ASSESSMENT SCALE FOR 2001

54. The Rapporteur of the Subcommittee on Budget and Finance said that the Subcommittee had recommended that the Executive Committee approve the recommendations submitted in document MC/EX/624.

55. The delegate of Argentina said that an increase in Argentina's rate from 1.216 per cent to 1.299 per cent was acceptable and consistent with the increase in the United Nations scale.

56. The Executive Committee approved the recommendations submitted in document MC/EX/624: first, that the scale of assessment for the Administrative part of the Budget for 2001, as shown in Annex II, column 5, be adopted; and second, that the governing bodies review the matter of the assessment scale for 2002 in May 2001.

ADDITIONAL INFORMATION ON THE MODEL ADMINISTRATIVE PART OF THE BUDGET FOR 2001

57. The Rapporteur of the Subcommittee on Budget and Finance, summarizing the discussion in the Subcommittee on the model of the Administrative Part of the Budget for 2001 (SCBF/243), said that the model should be regarded as the first step in a process leading to formal approval of the Programme and Budget for 2001 at the autumn session of the Council. The model represented a 12.5 per cent increase over the zero nominal growth budget level of CHF 34,060,000, and had been prepared on the basis of a review of the Administrative Part of the Budget, using as a guide the definitions in Council Resolution No. 949 (LXXII) relating to the attribution of staff posts between the Administrative and Operational Parts of the Budget. Following various questions raised in the Subcommittee, a more detailed document (MC/EX/625) had been prepared for discussion by the Executive Committee.

58. The Director General said that many views on the Programme and Budget for 2001 had already been expressed in the general debate. The Administration had taken note of those comments, but would also welcome detailed guidance to assist it in preparing the budget for 2001. He invited Member States

to respond to the Administration's policy of openness by feeling free to discuss any question with it at any time.

59. Several delegates said that zero nominal growth should serve as the reference principle, but were prepared to consider justifiable requests for growth in the context of the evolution of the Organization.

60. One delegate pointed out that the Operational and Administrative Parts of the Budget were separate entities, and said that he could see no justification for a 12.5 per cent increase based on a redistribution of posts. Council Resolution No. 949 (LXXII) had been adopted as part of an administrative reform to meet Member States' call for greater financial discipline. It was difficult to accept that resolution as a basic principle for the long term.

61. Several delegates opposed an increase in the Administrative Part of the Budget. Among the reasons for that opposition, mention was made of the insufficient services being provided to developing countries, and the economic difficulties being faced by some countries.

62. With regard to the structure of the Organization, several speakers questioned the need to change the Regional Office pattern. One speaker expressed surprise that posts were being put forward for discussion when they had already been filled.

63. Replying to specific points raised, the Administration said that five years previously, IOM had been much smaller than it was currently. There had been 35 fewer Offices, 40 per cent fewer staff and a different set of projects. Yet the Organization still had only one recruiting officer, and the Movement Management unit still had the same staff level for a far greater workload.

64. The Chairman, summarizing the debate, said that the Executive Committee had not managed to reach consensus on the model Administrative Part of the Budget for 2001. In particular, there had been no majority support for the proposed 12.5 per cent increase, although some speakers had indicated that they could accept a justified and reasonable increase.

65. The Director General said that the discussion had been valuable and that the Administration would engage in a consultation process leading up to the approval of the Programme and Budget for 2001 at the Council Session in November 2000.

OTHER ITEMS ARISING FROM THE REPORT OF THE SUBCOMMITTEE ON BUDGET AND FINANCE

(i) Outstanding contributions to the Administrative Part of the Budget

66. The Subcommittee on Budget and Finance had recommended that Member States in arrears should be urged to make every effort to pay their outstanding contributions as soon as possible. In particular, Member States whose contributions had been outstanding for two or more consecutive years should be urged to pay those contributions in full or to agree to a repayment plan and to pay the first instalment as soon as possible.

(ii) Proposed assessment of new Member States

67. Requests for membership in IOM had been received from Belize, Burkina Faso, the Republic of Côte d'Ivoire, the Republic of Guinea and the People's Democratic Republic of Algeria. As Belize, Burkina Faso, the Republic of Côte d'Ivoire and the Republic of Guinea fell under the minimum rate, their assessments would be established at the current rate of 0.050 per cent, whereas the assessment rate for the People's Democratic Republic of Algeria would be 0.120 per cent. Applications for membership from those countries had been entered on the agenda of the forthcoming special session of the Council, together with requests by The former Yugoslav Republic of Macedonia and the Kingdom of Bhutan for representation by an observer.

DATE AND PLACE OF THE NEXT SESSION

68. Pursuant to Council Resolution No. 972 (LXXIV) of 26 November 1997, no session of the Executive Committee would be held in November 2000; the next session would therefore be held in spring 2001 in Geneva and was foreseen to take place on 6 and 7 June 2001.

CLOSURE OF THE SESSION

69. The Ninety-seventh Session of the Executive Committee closed on Wednesday, 7 June 2000, at 1.30 p.m.