



COMMON SYSTEM: GLOBALIZATION, FLEXIBILITY AND UNION RIGHTS

Working conditions degradation in the UN common system is not happening by chance, and does not result from stinginess.

It coincides with the increasing pressure by an approach to globalization based overall on the same deregulation that affects us.

Like all workers in the world, international civil servants are confronted with attempts to put acquired rights into question – and, like many workers around the world, they are preoccupied at the risk to see their working tool jeopardized.

Under such circumstances, those from outside, from the « real world » get organized and try to be up to the challenges.

They rely on references (fundamental rights), a vision for the future (based on values), they may identify one or several counterparts (those who decide), continue traditions for action (the Union movement), build up alliances out of joint interests (federal, confederal, regional, international) and may influence upon the political game (via elections or industrial action).

International civil servants have fewer opportunities:

- They lack political leverage;
- They are split into feudalities;
- They may seldom rely on an authentic Union representation or on a tradition for action;
- They are subject to many decision centers not necessarily in relation with each other.

However, references and values are intrinsic to their functions.

Any strategy for keeping and improving rights at work has to be based on the strong points of those wishing to act. Within the UN, staff representation would profit a lot basing its action on the founding principles of the Organization, as explicit in a certain number of instruments forging the identity of United Nations.

For example, Union rights are recognized as fundamental freedom in the Universal Declaration of Human Rights. This universal right, which should be exerted freely within applicable rule of law, was reaffirmed in the International Covenant on Economic, Social and Cultural rights.

The 3rd principle in the Global Compact is devoted to freedom of association, and to the recognition of the right to collective bargaining.

As for the Standards of Conduct for international civil servants – which, contrary to what some might wish us to believe is as much a bill of rights as a list of obligations – it contains in every of its 50 paragraph at least one principle that would represent a meaningful demand.

Even in the UN Charter¹, one can find precise indications on the level of ambitions staff representatives should aim at when formulating their demands.

We have at disposal all necessary ingredients to establish a solid platform of demands, allowing for staff mobilization around clear-cut, self-appropriated themes, in a fight common to all that would in turn lay ground for the establishment of powerful, dynamic and respected structures to develop a Union movement commensurate with what is at stake.

However, “*there's many a slip 'twixt the cup and the lip*”. It is our duty, as staff representatives in charge of helping colleagues out of what seems to be one of the most difficult periods ever for common system working and employment conditions, to analyze uncomplacently what often prevented us, collectively or by organization, to resist liming.

No needs to be a great scientist to realize that the difficulties impeding progress in the common system are similar to those affecting the workers' movement at various stages in its development – and still hamper blocking too many attacks against workers' fundamental rights.

Those lacunae, which are of course inter-related, may be grouped under a few headings:

- Poor representativeness;
- Poor collective conscience;
- Poor strategy;
- Poor collaboration;
- Poor demands;
- Poor mobilization.

Representativeness is not to be decreed – it has to be established, and stems first from those Union movement characteristics that are membership, independence, democratic functioning.

Among organizations in the UN family, examples of staff representation organized along the Union model are still too little in numbers. The Union model, that is, organization as a structure independent from the administration, financially sustainable, that needs convincing staff to join and to contribute, whose leadership is elected by members and which has no obligation to report but to members.

Those are the principles of freedom of association, recognized as a fundamental right for international civil servants in para.26 of the Standard of Conduct – of which it would be important to avail oneself in each of the common system organizations².

¹ Article 101: The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity.

² In January 2004 the ILO SU produced an explanatory note on staff right to representation, one of the 7 areas for which the Statement of Agreed principles adopted in NY in December 2003 advocated coordination and the development of

International civil servants at times have difficulties to fancy themselves as salaried employees in their social and geographical environments. Institutionally speaking, they may also have some difficulties in identifying the complex relations that, at the end of the day, unite them – as well as in identifying the decision makers from whom will depend their occupational future as well as, frequently, their personal future.

For sure, globalization and, even before, the « financialization » of capitalism contribute to blurring power relationship. One may however question, for a circle counting only two dozens of international organizations with twice less workers than a multinational insurance company³, whether the multiplicity of decision makers, each of which has a tiny bit of employers' liabilities and play as they wish to avoid responding to staff queries is anything else but an attempt to lure and wind.

Let us have a look from afar ...

Some claim that the UN General Assembly would enjoy a kind of immanent infallibility as far as employment conditions are concerned. In fact, the GA is delegating its powers to a Committee, itself too busy, hence leaving matters with « *informal consultations* » where a handful of officials, sometimes without other instructions but to reduce costs and public influence, embody a perfect negation of what one calls industrial relations – which forcefully contradicts para.26 of the Code of Conduct – « *Elected staff representatives have a cardinal role to play in the consideration of conditions of employment and work, as well as in all matters of staff welfare.* »

Who among us, taking part in ICSC meetings or approaching the 5th Committee ever had the impression to play “*a cardinal role*”?

Powers entrusted to an International Civil Service Commission allegedly independent but whose members do not hide any more their allegiance to those appointing them – and the orientations they must follow, flexibilization under cover of modernity, privatization in the name of efficiency, in short a no-surprise programme of dismantling public services – are in fact operating among the happy few, with no question at any moment to go beyond lip service consultation with staff representatives whose presence is just tolerated subject to good behaviour expected inside the ivory tower of decision makers.

This is indeed the crux of the matter.

Freedom of association is valuable first because it facilitates strengthening workers' position to achieve the best possible employment and working conditions. And what “*the best*” means in this field, no higher-level entity has the right to decide unilaterally. Collective bargaining is the search for a compromise akin to agreement between two parties – those who direct, and those who implement.

specific actions. Other themes mentioned in this Declaration are employment contracts; staff security; protection against arbitrariness; respect for the wage fixing machinery; right to social protections; career development.

³ AXA Group, present in 37 countries, 112.118 staff members in 2004.

The interest in negotiation is obvious for the latter, the workers' collective – since it bears a direct influence upon working and living conditions of its members. For the former, which plays the employer's role, interest in negotiation is not spontaneous. It arises from the damage that might result from lack of negotiation.

Let us now come back to earth, to the common system.

While the UN General Assembly just reaffirmed⁴ the role the Secretary General has to play as the person responsible for the proper management of the organization and requested him to “*provide an assessment and recommendations to the General Assembly*” concerning HR management, Executive Heads among whom the one called “*Chief Executive Officer*” still continue to assume on paper only the responsibilities for which they were chosen.

Staff interest – we now come to strategy – **is to clarify responsibilities** and to break the falsely virtuous circle where it has been kept captive for the last three decades – since the time when the ICSC replaced the “*Group of independent experts*” advising heads of Secretariats and guiding them in building what already was, by and large, a common system.

It is just nonsense that those having the responsibility to identify competent staff to help them fulfil duties incumbent upon them have practically nothing to say concerning conditions attached to the hiring they propose.

We know that collective bargaining is as much a matter of balance of power (“*rapport de forces*”), as of good will. Since there is still floating in the air pressure from ICSC on “*the Organizations*”, in fact Heads of secretariats, to associate staff representatives to the discussion of all matters pertaining to their employment and working conditions⁵, why not put things back where they belong – and request from those Heads of secretariats, those on whom staff mobilization may produce some effect, that they untangle themselves from apathy resulting from delegating?

In other words, change target, change partners, bring the ball back to the middle of the field – and one cannot in this regard but to welcome the apparently positive attitude of Agency heads when FICSA requested that the matter of industrial relations be reviewed in-depth⁶.

The best strategy cannot come through if those leading it ignore each other and scatter. We now come to **collaboration among stakeholders**, staff representations across the common system.

Coexistence of representative organizations is not exceptional in the world of work. Who knows whether, all in all, such plurality favours or hampers efficiency in protecting workers' rights? What we all know, however, is that unhealthy competition among organizations

⁴ 2005 World Summit outcome, § 162 and 163

⁵ ICSC A Framework for Human Resources Management, document submitted to the 55th session (2000) of the UN GA, http://icsc.un.org/resources/pdfs/ppd/hrmframe/ICSC_hrm_eng.pdf

⁶ Meeting of CEB HR Network UN, New York, 5 to 8 July 2005 Enhancing Staff1-Management Relations in the United Nations System, document CEB/2005/HLCM/16 submitted by FICSA.

cannot but weaken the workers' movement, and that the absence of representative organization is the worst situation to enter into social dialogue.

Within the UN family, we experienced unity, then duality of federations. The question is not to now decide whether we should strive for reunification – following the example from the international trade union movement with joint dissolution followed by a new creation being conducted simultaneously by the ICFTU and the WLC.

What matters for the time being, and what the ILO Staff Union would very much favour, is that all of the staff unions and associations across the common system meet to think, to prepare and to act, not only through coexistence of governing bodies, but also at the grassroots level, notwithstanding what the ICSC pretends to have the authority to decide concerning the counterparts it wishes to recognize, without asking anyone to make allegiance to this or the other grouping before being recognized as a “*member of the family*”.

We sincerely hope that the drafting group we have established for this Symposium will come back to us with practical proposals allowing for work towards unity in favour of what is our common goal – which we so describe in the Preamble to ILO SU Rules: “*To defend the independence, status and safety of international civil servants*”.

Such a task cannot stand bureaucratic over-sensitiveness. Lead organizations such as CCISUA, FICSA or FUNSAs are, in our opinion, indispensable to impulse, coordinate and materialize the initiatives of grass root unions, those that are closest to international civil servants.

But these organizations should in no way pretend to substitute those composing them – for their only strength, during the difficult discussions they entertain with various instances and occult powers in the common system, is that of the staff, and of their mobilization to achieve success for demands that are truly theirs.

CCISUA, FICSA, FUNSAs, how many battalions?

It is when us, collective of staff representatives or just a Union in one organization, do not deem it useful to call upon members, when we intervene separately, when we accept to play without team mates on the field and according to the rules established by the other side, that we endure the most sour defeats.

This is noticed by our members – and how then wonder when colleagues get tired, resign themselves, lose interest in our commitments?

There is one more lesson to be drawn from the workers' movement.

Attack is not incompatible with defence. We strongly believe, as ILO Staff Union, that a game cannot be won by staying on the back line – in other words, when trying desperately to avoid blows to the international civil service.

Whatever heroic it may be, a defence cannot keep mobilization over the long run. One needs, for the officials, all of the UN officials to regain trust in their representation, that they be given other prospects than those of occupying the last bastion in a lost battle.

It would therefore be of the utmost importance, for the very future of our resistance, that we envisage and conduct attempts to regain ground, and even to explore new territories.

This, in Union words, is called a **programme of demands**.

In December 2003, the Symposium on the Future of Staff Unions and Associations of the UN Common System had engaged in such direction, through the adoption of a Statement of Agreed Principles which signatories committed themselves to “*close cooperation and support for the creation and development of actions*” in seven areas of conditions of work and of employment.

We earnestly hope that our meeting will give a new impetus to this process – and have elaborated, to help in it, a few notes that might be of use when elaborating a joint platform.

Not a platform among bureaucracies, but a direct demand from all civil servants, which we will carry with them as far as we can – to our respective organizations, to the instances grouping them – with all the required strength and visibility to ensure that, between moat and crenel of the ivory tower, no one remains unaware.

Those representing us – we know how difficult and non-rewarding such task maybe! – on Common system bodies, Resident Coordinator mechanism, HR Network, ICSC, will gain credibility and respect. For they will at last be recognized for what they are – the spokespersons of their constituents, of all of their constituents.

Then, FICSA, CCISUA and FUNSAS will have battalions!

ILO Staff Union Committee, 21.9.05