



## **INTERNAL AUDIT DIVISION**

### **AUDIT REPORT 2013/060**

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#### **Audit of human resources management at the International Criminal Tribunal for the former Yugoslavia**

**Overall results relating to the effectiveness of human resources management at the International Criminal Tribunal for the former Yugoslavia were initially assessed as partially satisfactory. Implementation of eight important recommendations remains in progress.**

**FINAL OVERALL RATING: PARTIALLY SATISFACTORY**

**18 July 2013**

**Assignment No. AA2012/270/04**

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# AUDIT REPORT

## Audit of human resources management at the International Criminal Tribunal for the former Yugoslavia

### I. BACKGROUND

1. The Office of Internal Oversight Services (OIOS) conducted an audit of human resources management at the International Criminal Tribunal for the former Yugoslavia (ICTY or Tribunal).
2. In accordance with its mandate, OIOS provides assurance and advice on the adequacy and effectiveness of the United Nations internal control system, the primary objectives of which are to ensure (a) efficient and effective operations; (b) accurate financial and operational reporting; (c) safeguarding of assets; and (d) compliance with mandates, regulations and rules.
3. ICTY was established in 1993 as a temporary institution with a mandate of investigating crimes committed during the wars in the former Yugoslavia and prosecuting those responsible. The Mechanism for International Criminal Tribunals was established by the United Nations Security Council on 22 December 2010 to carry on a number of essential functions of the International Criminal Tribunal for Rwanda and ICTY after the completion of their respective mandates.
4. The Human Resources Section, under the Division of Administration, was mandated to provide human resources management services including recruitment, training, examinations and staff administration. The Section delivered these services using two Professional and 11 General Service staff who reported to the Chief of Section. The staff were distributed between the Staff Administration Unit and the Recruitment and Training Unit. Human Resources Section functions were complemented by activities carried out by section and unit managers at ICTY, including management of staff needs and requisition/participation in recruitment activities.
5. In the context of its Completion Strategy, in 2010-2011, ICTY downsized by 170 posts and planned to downsize a further 202 posts by the end of 2013. As of October 2012, ICTY had 850 approved posts out of which 544 (64 per cent) were regular budget and 306 (36 per cent) were general temporary assistance posts. Four hundred and eight (48 per cent) posts were Professionals and above and 442 (52 per cent) were General Service posts. The 2012 average annual vacancy rate was 5.7 per cent for all staff and 10.7 per cent for Professionals and above. From January 2010 to October 2012, ICTY spent \$285 million in staff costs, or approximately 47 per cent of its budget.
6. Comments provided by ICTY are incorporated in *italics*.

### II. OBJECTIVE AND SCOPE

7. The audit was conducted to assess the adequacy and effectiveness of ICTY governance, risk management and control processes in providing reasonable assurance regarding the **effectiveness of ICTY human resources management**.
8. OIOS included this audit in its 2012 work plan as a result of high operational risks in human resources management on account of the downsizing of staff in ICTY.

9. The key controls tested for the audit were: (a) Human resources targets and strategies; (b) Recruitment and promotion policies and procedures; and (c) Regulatory framework. For the purpose of this audit, OIOS defined these key controls as follows:

(a) **Human resources targets and strategies** – controls that provide reasonable assurance that targets and strategies are set to ensure the recruitment and retention of competent staff.

(b) **Recruitment and promotion policies and procedures** – controls that provide reasonable assurance that recruitment and promotion policies and procedures are followed.

(c) **Regulatory framework** – controls that provide reasonable assurance that policies and procedures: (i) exist to guide the operations of ICTY human resources management; (ii) are implemented consistently; and (iii) ensure financial and operational information is reliable and produced with integrity.

10. The key controls were assessed for the control objectives shown in Table 1.

11. OIOS conducted this audit from 28 November 2012 to 5 March 2013. The audit covered the period from 1 January 2011 to 31 October 2012.

12. OIOS conducted an activity-level risk assessment to identify and assess specific risk exposures, and to confirm the relevance of the selected key controls in mitigating associated risks. Through interviews, analytical reviews, surveys and tests of controls, OIOS assessed the existence and adequacy of internal controls and conducted necessary tests to determine their effectiveness.

### III. AUDIT RESULTS

13. ICTY governance, risk management and control processes examined were assessed as **partially satisfactory** in providing reasonable assurance regarding the **effectiveness of ICTY human resources management**. OIOS made eight recommendations to address the issues identified in the audit. ICTY had procedures in place to forecast retirements of staff and to implement its downsizing strategy. However, it needed to enhance its planning activities by implementing workforce planning to ensure adequate staffing levels. ICTY maintained adequate rosters of qualified candidates to expedite recruitment and provided a budget for staff development and retention. However, there were weaknesses such as: long lead times for recruitment; short periods for advertising job openings; exceptions and inconsistencies in the application of the examination requirement for recruitment of General Service staff; and omissions in the selection process of consultants and individual contractors. Further, there was a need for ICTY to ensure compliance with regulations and rules regarding special post allowance, assignment and repatriation grants.

14. The initial overall rating was based on the assessment of key controls presented in Table 1 below. The final overall rating is **partially satisfactory** as implementation of eight important recommendations remains in progress.

**Table 1: Assessment of key controls**

Business objective(s)	Key controls	Control objectives			
		Efficient and effective operations	Accurate financial and operational reporting	Safeguarding of assets	Compliance with mandates, regulations and rules
<b>Effectiveness of ICTY human resources management</b>	(a) Human resources targets and strategies	Partially satisfactory	Satisfactory	Partially satisfactory	Partially satisfactory
	(b) Recruitment and promotion policies and procedures	Partially satisfactory	Satisfactory	Partially satisfactory	Partially satisfactory
	(c) Regulatory framework	Partially satisfactory	Satisfactory	Partially satisfactory	Partially satisfactory
<b>FINAL OVERALL RATING: PARTIALLY SATISFACTORY</b>					

### **A. Human resources targets and strategies**

There was a need to enhance workforce planning

15. ICTY planned for the number of staff that it required for the fulfillment of its mandate through the budget process. In November 2012, 42 regular budget posts were on loan to other sections or units. The loans covered two budget cycles, and no action had been taken to allocate posts in accordance with needs.

16. According to the United Nations Finance and Budget Manual, the administrative redeployment of posts within sections could be undertaken when necessary to ensure immediate programme implementation, but it was not intended for long term arrangements. ICTY explained that the temporary redeployment of limited number of posts allowed the Tribunal to meet its challenges as a downsizing organization pressed to complete its mandate. However, ICTY did not provide information to justify the long-term loans. Therefore ICTY did not determine its effective staffing needs to ensure adequate staffing levels for all its sections/units in a crucial downsizing period.

17. Further, Section 6.10 of ST/AI/2010/3 on the Staff Selection System, and Section 5.7 of ST/AI/2010/4/Rev.1 on the administration of temporary appointments, required a six-month break in service for staff members in the Professional and above categories, holding temporary appointments on positions authorized for one year or longer, who needed to be reappointed to their current positions in fixed-term appointments. ST/AI/2010/4/Rev.1, Section 5.2 established a 31-day break in service requirement upon separation from a fixed-term appointment and reappointment on a temporary appointment.

18. In four out of 20 cases (i.e. 20 per cent of all new joiners) of staff members in the Professional and higher categories reviewed in connection with payment of entitlements due on appointment, the mandatory breaks in service for the transition from temporary appointments to fixed-term appointments or vice versa were not observed. ICTY attributed the non-compliance to budget restrictions and unforeseen operational needs due to the variability of its trials and appeals schedule.

**(1) ICTY should ensure mandatory breaks in service and improve workforce planning through adequate forecasting of staff needs and monitoring of posts to avoid long-term loans of staff.**

*ICTY accepted recommendation 1 and stated that the ICTY Recruitment Unit will ensure that regulated breaks in service are respected and will continue to work collaboratively with hiring managers in order to improve work force planning. ICTY also stated that long-term loaned posts have been regularized in the budget submission for the next biennium (2014/2015) and will be reflected in the Staffing Table once the budget is approved. In future any posts considered for long-term loan will be viewed in line with budget regularization. Recommendation 1 remains open pending receipt of documentation demonstrating actions implemented by ICTY to improve work-force planning and regularization of posts on long-term loans.*

## **B. Recruitment and promotion policies and procedures**

Compliance with minimum job advertisement periods and recruitment lead times was required

19. Section 4.8 of ST/AI/2010/3 on the staff selection system established the advertisement period for job openings to be 60 days for position-specific job openings in the Professional and higher categories; and 30 calendar days for unanticipated job openings in the Professional and higher categories and for General Service job openings. Section 3.4 of ST/AI/2010/4/Rev.1 on the administration of temporary appointments prescribed a one week period for the advertisement of temporary job openings.

20. From January 2011 to November 2012, only one out of 60 job openings for fixed-term appointments in the Professional and higher categories issued at ICTY was advertised for 60 days. ICTY generally used the 30 days mark to advertise job openings of Professionals with fixed-term appointments, although in 15 cases reviewed there was no evidence of unanticipated job openings to justify the use of this mark. In the General Service category, ICTY issued 59 job openings for fixed-term appointments and only 15 were advertised for 30 days. ICTY also issued 130 temporary job openings for both Professionals and General Service positions. The one week deadline for temporary jobs was complied with in 77 cases (59 per cent), while in 18 cases (14 per cent) the advertisement period was less than one week and in 35 cases (27 per cent) it was longer than one week. Management explained that recruitment lead times were reduced in the context of the downsizing. However, there was no evidence to indicate concurrence from the Office of Human Resources Management (OHRM) to vary the advertisement periods in view of the downsizing status.

**(2) ICTY should comply with the required advertisement periods for job openings, or obtain exceptional approval from the Office of Human Resources Management to implement alternative arrangements considering ICTY status as a downsizing organization.**

*ICTY accepted recommendation 2 and stated that ICTY senior management will formally request, through OHRM, an exception, as an actively downsizing organization, to advertise job openings for a period of 30 days maximum when the vacancy is anticipated. Recommendation 2 remains open pending receipt of documentation showing OHRM approval on the reduction in advertisement periods.*

21. The target timeline for the United Nations recruitment process, from determining eligibility of applicants to the selection decision, was set at 60 days, excluding the advertisement period and roster

selections.<sup>1</sup> Between 1 January 2011 and 15 November 2012, ICTY lead times in recruitment of Professionals and higher categories averaged 123 days, which exceeded the target by 63 days. The major delays occurred in the recommendation of candidates and Review Board assessment stages as shown in Table 2 below.

**Table 2: Lead times in recruitments of Professionals and higher categories (\*)**

Activity	UN Target days	Average ICTY lead time	Deviation from target
Initial HR assessment	5	5	0
Recommendation of candidates and status review	43	88	45
Review Board Assessment	7	24	17
Selection by the Registrar	5	6	1
<b>Overall recruitment process</b>	<b>60</b>	<b>123</b>	<b>63</b>

(\*) Excluding advertisement period, temporary vacancy announcements and selection from rosters

22. Delays in recruitment were attributed to conflicting priorities of managers and difficulties in convening the necessary Review Boards. However, there was no evidence to indicate monitoring of lead times and follow up with recruiting managers to ensure prompt action. The ICTY Recruitment and Training Unit explained that managers were informed about recruitment targets and that the Unit started sending e-mail notifications to follow up on recruitment processes with managers.

**(3) ICTY should ensure that hiring managers take appropriate steps to speed up the candidate review/recommendation process and improve timeliness of staff recruitment.**

*ICTY accepted recommendation 3 and stated that it would continue to work collaboratively with hiring managers to ensure candidate review/recommendation processes within the established deadlines. Further, it would report delays in recruitment processes to Senior Management. Recommendation 3 remains open pending receipt of documentation demonstrating actions implemented by ICTY to improve timeliness of staff recruitment.*

Examination requirements for recruitment of General Service staff needed to be complied with

23. Individuals interested in being considered for positions in the General Service and related categories were required to have successfully passed the United Nations Administrative Support Assessment Test (ASAT or clerical test). A review of practices at ICTY showed the following:

- a. ICTY waived the requirement of ASAT for posts in the Security and Safety Section, Information Technology Services Section, and Conference and Language Services Section. The requirement to take the generic clerical test was also waived in cases where knowledge specific tests were required such as in finance and accounting functions;
- b. In four out of 13 cases reviewed (or 31 per cent), the job openings did not refer to the requirement for the clerical test, even though the posts were not included on the list of exempted posts at ICTY; and
- c. In three out of 13 cases (or 23 per cent), the job openings referred to the need for clerical tests, even though the posts were under the exceptional exemption framework.

24. Management explained that the exceptions were based on a decision made in the early days of the Tribunal, although there was no written record of the decision or of related discussions with OHRM. The

<sup>1</sup> General Assembly resolutions 65/247 and 67/324

use of exemptions led to inconsistent application of the requirement for clerical tests in comparable functions between sections. For example, a Logistics Assistant in the Security and Safety Section was exempted from the clerical test, while Assistants performing similar functions in the General Services Section were not.

**(4) ICTY should comply with the requirement for the Administrative Support Assessment Test in the recruitment of General Service staff and ensure that the requirement is consistently stated in the job openings.**

*ICTY accepted recommendation 4 and agreed that the requirement for the passing of the Administrative Support Assessment Test (ASAT) be enforced and stated in all General Service job openings. Recommendation 4 remains open pending receipt of documentation demonstrating compliance with the requirement for ASAT.*

Regulations on hiring of consultants and individual contractors needed to be complied with

25. ST/AI/1999/7 on consultants and individual contractors defined the guidance for hiring of consultants and individual contractors, including the selection process, terms of reference, duration of contracts, and performance evaluations. A review of hiring and monitoring procedures and documentation for five out of 103 consultants and individual contractors hired by ICTY during 2011 and 2012 indicated the following instances of non compliance with this administrative instruction:

- a. There were no supporting documents on the selection of two consultants who were paid approximately \$227,800 during the period under review;
- b. In two cases, the terms of reference for services provided did not include tangible and measurable outputs of the work assignment or performance indicators for evaluating the results;
- c. There was no evidence in the files on how the rates paid to the consultants/contractors were determined;
- d. During a 36-month period, a consultant was awarded contracts covering 32 months, which was above the established limit of 24 months. There was no evidence that ICTY considered the establishment of a post to be filled by a staff member, even though the services continued at the time of the audit;
- e. In seven out of 13 contracts signed with a consultant for career transitioning during 2011 and 2012, the contract was signed after the work had already started; and
- f. ICTY offered new contracts to a consultant whose previous performance was not fully satisfactory as per feedback provided by participants in the training.

26. Non-compliance with the requirements set by ST/AI/1999/7 resulted in inefficient use of resources and lack of transparency in the hiring of consultants and individual contractors.

**(5) ICTY should comply with regulations on hiring of consultants and individual contractors and improve the documentation to demonstrate transparency in the selection of candidates and price determination of services.**

*ICTY accepted recommendation 5 and stated that it would improve compliance with specific aspects of the regulations (ST/AI/1999/7). Recommendation 5 remains open pending receipt of documentation demonstrating full compliance with the requirements of ST/AI/1999/7 for the hiring of consultants and individual contractors.*



## C. Regulatory framework

### Regulations on Special Post Allowance needed to be complied with

27. Special Post Allowance (SPA) was granted to staff members temporarily placed against higher-level vacant posts or posts reclassified at higher levels, for an initial period of three months. Extensions could be given for periods of up to three months while awaiting the vacancy to be filled (Sections 7.4 and 7.5 of ST/AI/1999/17 on special post allowance). Section 5 of the ST/AI established the required composition of the SPA panel and the need to have members appointed at an appropriate level, depending on the level of staff under review.

28. ICTY SPA panel membership was outdated since the panel included one staff member who had separated from the organization and its composition did not comply with the prescribed balance between members designated by the Staff Union and Management. There was also no evidence of participation of the Focal Point for Women (ex-officio) in the meetings, as required by Section 5.5 of ST/AI/1999/17. Management attributed the outdated membership to high staff turnover and explained the difficulties in designating members at appropriate levels due to a flattened organization structure. Management also stated that the Focal Point for Women had commenced participating in panel meetings.

29. From January 2011 to October 2012, ICTY granted or extended 94 SPAs for varying periods to 46 staff members. In 23 cases reviewed, the following exceptions were observed:

- a. In 14 cases, assignment of SPAs to staff at the P-5 and D-1 levels was endorsed by staff members at the P-3 and P-4 level contrary to the requirement of same or higher level designation;
- b. In 11 cases, SPAs were granted for periods between 1.5 and 5.5 years with SPA granted or extended on some vacant posts for periods beyond the three months threshold resulting in posts remaining vacant for extended periods including three posts at the managerial level which were vacant at the time of the audit;
- c. Nine extensions of SPAs involving four staff members were granted with no evidence of certification of performance, contrary to the requirement of Sections 4 (c) and 5.1 (b) of ST/AI/1999/17; and
- d. In one case, there was no evidence of approval by OHRM, for SPA granted to a General Service staff for a post in the Professional category, as required by Section 10.2 of ST/AI/1999/17.

30. ICTY explained that there were occasions when SPAs were extended beyond three months while awaiting the next sitting of the SPA panel. ICTY also stated that it had received special approval from OHRM to grant SPAs when beneficial in the context of the completion strategy. However, administrative convenience would not justify non-compliance with mandatory requirements and the special approval did not apply to the reported cases. The significant use of SPA indicated inability of ICTY to ensure that vacant posts, including those of important managerial functions, were filled in a timely manner through the normal recruitment process.

**(6) ICTY should comply with the regulations on Special Post Allowance by: ensuring that allowable periods for the entitlement are not exceeded; updating the membership of the Special Post Allowance panel in accordance with the prescribed structure; and ensuring that the members of the panel are at the same or higher level than that of the staff member under review.**

*ICTY accepted recommendation 6 and stated that it would review the current SPA panel membership to ensure full compliance with the governing documents ST/AI/1999/17 and ST/AI/2003/3 and that it would convene SPA panel meetings on a monthly basis if there are pending cases for review and approval. Recommendation 6 remains open pending receipt of the updated membership of the SPA panel and documentation demonstrating full compliance with the applicable regulations.*

ICTY needed to comply with regulations for payment of assignment grant

31. Staff Rule 7.14 (f) requires the amount of assignment grant to be prorated when former staff members return to the same duty station within one year after their separation. Section 11.3 of ST/AI/2010/4/Rev.1 regulates the payment of travel expenses, unaccompanied shipment and daily subsistence allowance (DSA) in successive temporary appointments subject to international recruitment.

32. From 1 January 2011 to 30 October 2012, ICTY recruited 78 new staff members for Professional and higher category posts. A review of the payment of assignment grants and other travel related benefits to 20 (or 26 per cent) staff members showed the following anomalies:

- a. One staff member returned to the duty station less than one year after separation and was offered successive temporary appointments in which ICTY paid travel expenses and assignment grant more than once in a 12 months period without prorating the amount. Further, ICTY did not comply with the requirement for a three-month break in paying the unaccompanied shipment entitlement. The staff member was paid a total of \$13,945; and
- b. Three retired staff who were offered temporary appointments and returned to the duty station less than one year after separation were paid the full amount of the grant totaling \$31,419, contrary to the requirement to prorate.

33. The anomalies above resulted in overpayments totaling \$45,364. In addition, some of the letters of offer of appointment sent to the selected candidates contained errors. For instance, one letter stated a higher salary due to an error in the transcription of the step; two letters incorrectly included entitlement to repatriation grant; and 17 letters stated incorrect amounts of the non-removal element of the hardship and mobility allowance. Further, the ICTY human resources management system (PIMS) did not keep historical information of previous appointments after staff members separated from the Organization, which contributed to the errors. *ICTY stated that, after assessment of specific cases cited in the audit report of the staff members who returned to the duty station less than one year after separation and to whom assignment grant and travel expenses should have been prorated, it was the Immediate Office of the Registrar assessment that the offer of appointment and its acceptance by a staff member creates a valid contract, or an expectation on the part of the staff member, [and therefore] staff members should receive the full amount of the entitlements offered to them, irrespective of errors. Had Human Resources Section discovered these errors and issued revised letters of appointment before the staff members accepted the offer, or prior to the staff members relocating to the duty station, it would have been possible to initiate a recovery.*

34. ICTY provided evidence that two of the errors above were also detected by the Finance Section, which reported the miscalculation to the Human Resources Section and made efforts to prevent the overpayment. The two cases were brought to the attention of the Chief of the Immediate Office of the Registrar who approved the payments and requested Human Resources Section to put in place all necessary measures to prevent errors in the future.

**(7) ICTY should ensure that letters of offer of appointment state the correct salaries and entitlements due on appointment and separation of staff in accordance with applicable regulations and rules.**

*ICTY accepted recommendation 7 and stated that it agreed that offers of appointment state correct salaries and entitlements in accordance with applicable rules and regulations and that it would draft a Standard Operation Procedure to formalize checks and balances in place. Recommendation 7 remains open pending receipt of the approved Standard Operation Procedure on relevant checks and controls over letters of offer of appointment.*

Regulations and rules on the payment of repatriation and relocation grants needed to be complied with

35. According to Section 11 of ST/AI/2006/5 on excess baggage, shipments and insurance, the relocation grant is a lump-sum payment for which internationally recruited staff members holding appointments of one year or longer can opt as an alternative to their existing unaccompanied shipment or full removal entitlement. A review of the benefits paid on separation to 27 staff members in the Professional and higher categories (21 per cent of the separated staff) revealed the following exceptions:

- a. In six cases the relocation grant was paid even though no relocation took place, as the staff members expressed their intention to remain in the country of the duty station and/or had been recruited within commuting distance from the duty station; and
- b. ICTY paid repatriation travel lump-sum to a staff member and her eligible family members, even though the staff member had been recruited from within commuting distance from the duty station and had been selected for another appointment at the duty station before separating.

36. As a result, ICTY overpaid approximately \$72,208 in relocation grants and repatriation travel lump-sum. ICTY interpreted Section 11.5 of ST/AI/2006/5 which states that “no requirement of proof on how the relocation grant is used” to mean that the relocation grant was payable regardless of whether the staff member relocated or not. However, the Policy Division of OHRM clarified that although the staff member was not required to present invoices, receipts or any other supporting documentation on how he/she used the relocation grant, it was indeed necessary to legitimize the payment of the entitlement. OHRM also explained that:

- a. Payment of relocation grant to a staff member and to his/her eligible family members (where applicable) on separation is triggered by the payment of travel expenses in line with Staff Rule 7.1 (a) (iv) and (b); and
- b. Because the relocation grant is a lump-sum option provided in lieu of the entitlement to unaccompanied shipments, where there is a loss of entitlement to unaccompanied shipment, by extension, there is also a loss of the option for the lump-sum payment.

**(8) ICTY should ensure that payments of relocation grant and repatriation travel are made in accordance with the applicable regulations and rules.**

*ICTY accepted recommendation 8 and stated that it accepts the recommendation in cases where eligible staff choose to have his/her relocation travel within 2 years after separation, noting that all related relocation grant payments have been processed in accordance with applicable rules and regulations as interpreted, and consistently practiced. The ICTY will consult with senior Management in UNHQ to determine the conditions of granting of relocation grant and its linkage to repatriation travel. Recommendation 8 remains open pending receipt of documentation on the result of consultation with OHRM on granting of relocation and repatriation grants and related*

travel, and processing of respective payments in accordance with such guidance.

#### **IV. ACKNOWLEDGEMENT**

37. OIOS wishes to express its appreciation to the Management and staff of ICTY for the assistance and cooperation extended to the auditors during this assignment.

*(Signed)* David Kanja  
Assistant Secretary-General for Internal Oversight Services

## STATUS OF AUDIT RECOMMENDATIONS

## Audit of human resources management at the International Criminal Tribunal for the former Yugoslavia

Recom. no.	Recommendation	Critical <sup>2</sup> / Important <sup>3</sup>	C/ O <sup>4</sup>	Actions needed to close recommendation	Implementation date <sup>5</sup>
1	ICTY should ensure mandatory breaks in service and improve workforce planning through adequate forecasting of staff needs and monitoring of posts to avoid long-term loans of staff.	Important	O	Receipt of documentation demonstrating actions implemented by ICTY to improve work-force planning and regularization of posts on long-term loans.	January 2014
2	ICTY should comply with the required advertisement periods for job openings, or obtain exceptional approval from the Office of Human Resources Management to implement alternative arrangements considering ICTY status as a downsizing organization.	Important	O	Receipt of documentation showing OHRM approval on the reduction in advertisement periods.	September 2013
3	ICTY should ensure that hiring managers take appropriate steps to speed up the candidate review/recommendation process and improve timeliness of staff recruitment.	Important	O	Receipt of documentation demonstrating actions implemented by ICTY to improve timeliness of staff recruitment.	September 2013
4	ICTY should comply with the requirement for the Administrative Support Assessment Test in the recruitment of General Service staff and ensure that the requirement is consistently stated in the job openings.	Important	O	Receipt of documentation demonstrating compliance with the requirement for ASAT.	October 2013
5	ICTY should comply with regulations on hiring of consultants and individual contractors and improve the documentation to demonstrate transparency in the selection of candidates and price determination of services.	Important	O	Receipt of documentation demonstrating full compliance with the requirements of ST/AI/1999/7 for the hiring of consultants and individual contractors.	October 2013
6	ICTY should comply with the regulations on Special Post Allowances by: ensuring that	Important	O	Receipt of the updated membership of the SPA Panel and documentation demonstrating full	October 2013

<sup>2</sup> Critical recommendations address significant and/or pervasive deficiencies or weaknesses in governance, risk management or internal control processes, such that reasonable assurance cannot be provided regarding the achievement of control and/or business objectives under review.

<sup>3</sup> Important recommendations address important deficiencies or weaknesses in governance, risk management or internal control processes, such that reasonable assurance may be at risk regarding the achievement of control and/or business objectives under review.

<sup>4</sup> C = closed, O = open

<sup>5</sup> Date provided by ICTY in response to recommendations.

## STATUS OF AUDIT RECOMMENDATIONS

## Audit of human resources management at the International Criminal Tribunal for the former Yugoslavia

Recom. no.	Recommendation	Critical <sup>2</sup> / Important <sup>3</sup>	C/ O <sup>4</sup>	Actions needed to close recommendation	Implementation date <sup>5</sup>
	allowable periods for the entitlement are not exceeded; updating the membership of the Special Post Allowance panel in accordance with the prescribed structure; and ensuring that the members of the panel are at the same or higher level than that of the staff member under review.			compliance with the applicable regulations.	
7	ICTY should ensure that letters of offer of appointment state the correct salaries and entitlements due on appointment and separation of staff in accordance with applicable regulations and rules.	Important	O	Receipt of the approved Standard Operation Procedure on relevant checks and controls over letters of offer of appointment.	October 2013
8	ICTY should ensure that payments of relocation grant and repatriation travel are made in accordance with the applicable regulations and rules.	Important	O	Receipt of documentation demonstrating consultation with OHRM to determine the exact conditions of granting of relocation and repatriation grants and related travel, and processing of respective payments in accordance with such guidance.	January 2014

# **APPENDIX I**

## **Management Response**

## MANAGEMENT RESPONSE

## Audit of human resources management at the International Criminal Tribunal for the former Yugoslavia

Rec. no.	Recommendation	Critical <sup>1</sup> / Important <sup>2</sup>	Accepted? (Yes/No)	Title of responsible individual	Implementation date	Client comments
1	ICTY should ensure mandatory breaks in service and improve workforce planning through adequate forecasting of staff needs and monitoring of posts to avoid long-term loans of staff.	Important	Yes	Chief of HRS	January 2014	<p>1. The ICTY Recruitment Unit will ensure that regulated breaks in service are respected. Chief of HRS will send a Memo to Staff in HRS reminding them of the required break in service for the different contractual modalities which should be observed in all cases</p> <p>2. In addition, the ICTY Recruitment Unit will continue to work collaboratively with Hiring Managers in order to improve work force planning to the extent possible in this downsizing entity.</p> <p>3. Long-term loaned posts have been regularized in the Budget submission for the next biennium (2014/2015) and will be reflected in the Staffing Table once the Budget is approved. In the future, any posts considered for long-term loan will be viewed in line with budget regularization.</p>
2	ICTY should comply with the required advertisement periods for job openings, or obtain exceptional approval from the Office	Important	Yes	Chief of HRS	September 2013	Per OIOS suggestion The ICTY senior management will formally request, through the Office of Human

<sup>1</sup> Critical recommendations address significant and/or pervasive deficiencies or weaknesses in governance, risk management or internal control processes, such that reasonable assurance cannot be provided regarding the achievement of control and/or business objectives under review.

<sup>2</sup> Important recommendations address important deficiencies or weaknesses in governance, risk management or internal control processes, such that reasonable assurance may be at risk regarding the achievement of control and/or business objectives under review.



## MANAGEMENT RESPONSE

## Audit of human resources management at the International Criminal Tribunal for the former Yugoslavia

Rec. no.	Recommendation	Critical <sup>1</sup> / Important <sup>2</sup>	Accepted? (Yes/No)	Title of responsible individual	Implementation date	Client comments
	of Human Resources Management to implement alternative arrangements considering ICTY status as a downsizing organization.					Resources Management, an exception, as an actively downsizing organization, to advertise Job Openings for a period of 30 days maximum <u>when the vacancy is anticipated</u> . Since the governing ST/AI/2010/3 currently allows for a 30-day advertisement period for unanticipated job openings, the ICTY is in full compliance in most cases. The applicable excerpt follows (ST/AI/2010/3 – 4.8): <i>4.8 The deadline for applying for job openings shall normally be: (a) 60 calendar days after posting for position-specific job openings in the Professional and above categories, unless in cases of unanticipated job openings OHRM or the local human resources office exceptionally approves a 30-day deadline;</i>
3	ICTY should ensure that hiring managers take appropriate steps to speed up the candidate review/recommendation process and improve timeliness of staff recruitment.	Important	YES	Chief of HRS	September 2013	The ICTY Recruitment Unit will continue to work collaboratively with Hiring Managers to ensure that the candidate review/recommendation process is done within the established deadlines and improve timeliness of staff recruitment. Cases in which there is a delay in the process will be reported to Senior Management. A memo in this regard will be sent to

## MANAGEMENT RESPONSE

## Audit of human resources management at the International Criminal Tribunal for the former Yugoslavia

Rec. no.	Recommendation	Critical <sup>1</sup> / Important <sup>2</sup>	Accepted? (Yes/No)	Title of responsible individual	Implementation date	Client comments
						Hiring Managers, Senior Management and Staff in HRS.
4	ICTY should comply with the requirement for the Administrative Support Assessment Test in the recruitment of General Service staff and ensure that the requirement is consistently stated in the job openings.	Important	Yes	Chief of HRS	October 2013	<p>1. The ICTY accepts the recommendation that the requirement for the passing of the Administrative Support Assessment test (ASAT), where applicable, be enforced.</p> <p>2. The ICTY will ensure that the requirement for passing the ASAT test be stated in all General Services job openings. A reminder on this requirement will be included in a memo addressed to Staff in HRS. New job openings (if any) will be available for review.</p>
5	ICTY should comply with regulations on hiring of consultants and individual contractors and improve the documentation of files to demonstrate transparency in the selection of candidates and price determination of services.	Important	Yes	Chief of HRS	October 2013	<p>The ICTY accepts the recommendation to improve compliance with specific aspects of the document governing the hire of Consultants and Individual Contractors, ST/AI/1999/7. A reminder on this requirement will be included in a memo addressed to Staff in HRS. New hiring processes of consultants and/or individual contractors (if any) will be available for review.</p> <p>In specific response to the Audit Report, in five out of 103 cases reviewed, six inaccuracies were cited</p>

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						<p>by the Audit Team. Of these cited inaccuracies, in two cases (point a. and c.) the ICTY relied on the UN approved Roster of Trainers and UN scale of rates to be paid to Consultants as the basis for decision-making. In one case (point e.) there was an administrative oversight. In another case (point f.) the ICTY Head of Recruitment and Training made a judgment call to re-hire the Consultant as there was minimal negative feedback, and considerable positive feedback, about the work of this Consultant. In the remaining two cited cases (point b. and d.) the ICTY accepts responsibility and agrees to</p> <ol style="list-style-type: none"> <li>1. Consistently prepare Terms of Reference with tangible and measurable outputs;</li> <li>2. Consistently demonstrate transparency in selection of Consultants where there is no sole-source requirement.</li> </ol>
6	ICTY should comply with the regulations on Special Post Allowances by: ensuring that allowable periods for the entitlement are not exceeded; updating the membership of the Special Post Allowance Panel in accordance with the prescribed structure; and ensuring that the members of the panel are at the same or higher level than that of the staff member under review.	Important	Yes	Chief of HRS	October 2013	The ICTY agrees with the recommendation to review the current Special Post Allowance (SPA) Panel membership to ensure full compliance with the governing documents ST/AI//1999/17 and ST/AI/2003/3. A memo will be sent to all SPA Panel Members as a reminder on all related rules and procedures as included in

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						the Administrative Instructions, highlighting the importance to comply with the duration and extension of SPAs for both assignments to a temporarily vacant posts and assignments to a vacant post or a post reclassified at a higher level. The SPA Panel will be requested to meet on a monthly basis if there are any pending cases for their review and approval.
7	ICTY should ensure that letters of offer of appointment state the correct salaries and entitlements due on appointment and separation of staff is done in accordance with applicable regulations and rules and takes into account payments made in previous appointments and recruitments.	Important	Yes	Chief of HRS	October 2013	The ICTY agrees with the recommendation to ensure that Offers of Appointment state correct salaries and entitlements in accordance with applicable rules and regulations. Although there is now an informal checks and balance system in place, a more formal Standard Operation Procedure will be drafted to further ensure that all Offers of Appointment are correct. New letters of offer of appointment (if any) will be available for review.
8	ICTY should ensure that payments of relocation grant and repatriation travel are made in accordance with the regulations and rules	Important	Yes	Chief Of HRS	January 2013	The ICTY accepts the recommendation in cases where eligible Staff choose to have his/her relocation travel within 2 years after separation, noting that all related relocation grant payments have been processed in accordance with applicable rules and regulations as

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						<p>interpreted, and consistently practiced. The ICTY will consult with senior Management in UNHQ to determine the conditions of granting of relocation grant and its linkage to repatriation travel (please note the ICTY received a waiver from UNHQ dated 18 June 2007 approving “the possibility of arranging for unaccompanied shipment or paying the relocation grant offered as an option to unaccompanied shipment, and to arrange for repatriation travel of eligible family members, in advance of the date of separation of staff whose post will be abolished”, supporting the fact that the linkage to repatriation travel is not applicable). In case the ICTY is required to change its current practice, a memo will be addressed to staff in HRS and Finance stating the requirements and procedures to process this entitlement (if applicable, new requests of relocation grant and repatriation travel will be available for review).</p>