

Quest for a World-Class Framework

Accountability at the United Nations

THE SPIRIT OF 1945 CONTINUES TO INSPIRE



Above: Roosevelt memorial plaque dedication at the 1945 San Francisco Conference that crafted the U.N Charter. Photo courtesy of UN Photo/INP.

Secretary General of the United Nations Ban Ki Moon says that the spirit and vision that infused world leaders in 1945 inspire every day. The promise and values of those early years in the United Nation's history are as relevant today in our considerably more complex and interdependent world as they were over 60 years ago.

In the last 60 years, the U.N. has shown that it can:

- ◆ Serve as a forum to set a global agenda;
- ◆ Build consensus on contentious issues;
- ◆ Set standards for nations to live by;
- ◆ Play the role of honest broker;
- ◆ Keep fighting parties apart;
- ◆ Help bring justice to those discriminated against;
- ◆ Deliver humanitarian assistance and ensure access to food, medicine, education and health care;
- ◆ Improve living conditions and alleviate poverty;
- ◆ Pursue a vigorous development agenda.

A worldwide organization with these wide-ranging tasks deserves to have a world-class accountability framework to function efficiently and effectively. Its framework should represent best practices to the world that it serves.

By Dr. Haluk F. Gursel, CPA, CGFM, CFE, CGRCP

The name "United Nations," coined by U.S. President Franklin D. Roosevelt, was first used in the "Declaration by United Nations" on January 1, 1942, during the Second World War, when representatives of 26 nations pledged their governments to continue fighting together against the Axis Powers.

In 1945, representatives of 50 countries met in San Francisco at the United Nations Conference on International Organization to draw up the United Nations Charter. Those delegates based their deliberations on proposals worked out by the representatives of China, the Soviet Union, the United Kingdom, and the United States at Washington D.C.'s Dumbarton Oaks mansion from August to October 1944. The Charter was signed on June 26, 1945 by the representatives of the 50 countries. Poland, which was not represented at the Conference, signed it later and became one of the original 51 member states.

The United Nations officially came into existence on October 24, 1945, once the Charter had been ratified by China, France, the Soviet Union, the United Kingdom, the United States, and a majority of other signatories. United Nations Day is celebrated on October 24 each year.

The word "accountability" did not appear in the U.N.'s early texts. Instead, word like "integrity" were used. Article 101 of the Charter of the United Nations mentioned that "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."

The word "accountability" was first mentioned in the texts in the early 1990s. In 1991, for example, the United Nations Board of Auditors presented to the General Assembly its observations on "the importance of accountability, efficiency, and cost effectiveness in the use of funds." Resolutions related to this concept have also mentioned the

need for the mechanisms dealing with "accountability."

Another milestone was the 1995 report of the Joint Inspection Unit (JIU) on "Accountability, Management Improvement and Oversight in the United Nations System" (1). It contained a list of conceptual and practical relationships, common trends, initiatives, and possible solutions to ensure strengthening and enhancing accountability by continuously improving management and oversight. The report proposed that "each Organization must develop its own process and perspectives to meet its own needs and circumstances, although the JIU urge them to take two pivotal steps." These two steps the adoption of a strategic and integrated approach, and the second annual report to the oversight body on accountability issues.

Accountability Defined

A written definition of "accountability" first appeared in the United Nations texts in 2006. In March 2006, a report by the Committee of Experts on Public Administration outlined the definition of "accountability":

48. Accountability is one of the prerequisites of democratic or good governance. It entails holding elected or appointed officials charged with a public mandate responsible and answerable for their actions, activities and decisions. It is the role of civil society to hold those in public office accountable. Accountability seeks to know who is liable for what and what kind of conduct is illegal.

Accountability may be categorized into four broad types:

(a) Accountability is associated with the idea of answerability, based on the premise that individual identity is determined by one's position in a structured relationship;

(b) Liability, a second form of accountability, sees individual identity rooted in more-formalized expectations developed through rules, contracts,

legislation and similar relationships based on legalistic standing;

(c) Accountability is associated with role-based expectations. Such roles foster blameworthiness as a basis for shaping and directing one's behaviour;

(d) Accountability expectations are derived from an individual's perceived status in a community where attributions come into play.

Transparency and Accountability

49. Transparency and accountability are interrelated and mutually reinforcing concepts. Without transparency, that is, unfettered access to timely and reliable information on decisions and performance, it would be difficult to call public sector entities to account. Unless there is accountability, that is, mechanisms to report on the usage of public resources and consequences for failing to meet stated performance objectives, transparency would be of little value. The existence of both conditions is a prerequisite to effective, efficient and equitable management in public institutions. (2)

Ethics and Accountability Reform Measures

The initiatives leading today's accountability framework included the Brahimi recommendations (3) for comprehensive changes to United Nations peace operations, the 2002 Agenda for Further Change, the 2004 overhaul of the staff security system, and improved coordination of humanitarian assistance, as well as a host of important budget, personnel, and management reforms. The March 2005 "In Larger Freedom" report contained

bold proposals to make the organization a more effective multilateral instrument in the service of priorities in development, security, and human rights.

In 2005, considerable progress was achieved in the development of new and better management policies and procedures. The organization undertakes to continue its efforts in this regard.

A report of the Secretary-General (4), announced at the General Assembly at the end 2005, described new measures concerning accountability under these headings: measures for strengthening the accountability framework; strengthening the oversight mechanisms; ensuring ethical conduct; enhancing transparency; and other measures. Page 11 of the report states the following:

30. The United Nations already has in place many rules, procedures and controls designed to prevent fraud and corruption. However, based on the Board's [of Auditors] recommendation, new efforts have been initiated to draw a more comprehensive plan, addressing all aspects of corruption and fraud prevention. To that end, a working group has been established to propose such a plan. As a first step, the working group is drawing up an anti-corruption and fraud prevention policy which draws on existing best practices, including the model recently developed by the World Bank.

In 2006, the last year of the United Nation's Secretary-General's tenure, efforts continued for the management reform process that began in 1997. The 2006 reform efforts were guided by the High-Level Summit Outcome

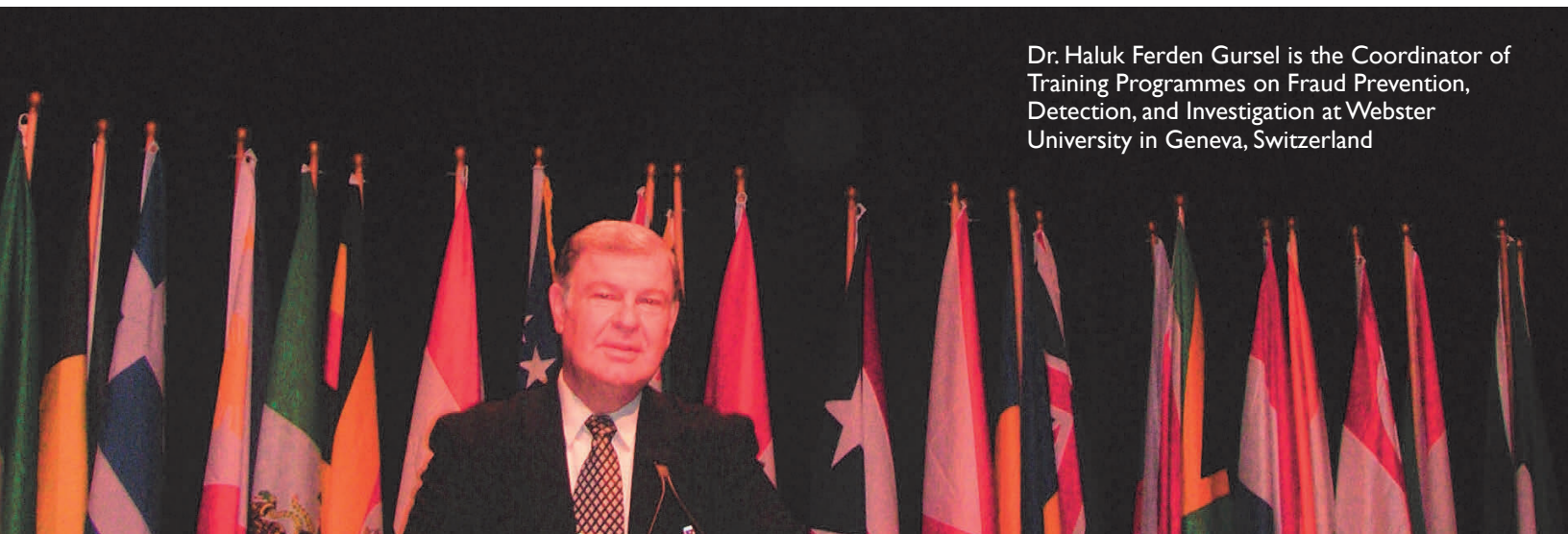
Document finalized by world leaders in September 2005, which committed the organization to far-reaching management reforms. Their decision was seen as a historic opportunity to bring about important changes to ensure that the United Nations of tomorrow has the institutional foundation and management systems to succeed. Its role has evolved into an increasingly operational and field-based organization that must deliver complex peacekeeping and humanitarian services ever more rapidly. Reports on management reform and background material for a Member State review of mandates are expected to be finalized soon.

There are five main categories of reform measures, as agreed to by Member States at the Summit:

1. Ensuring ethical conduct
2. Strengthening oversight and accountability
3. Updating the organization
4. Improving senior management performance
5. Increasing transparency

I. Ensuring Ethical Conduct A. Ethics Office

The Ethics Office was formally established and became operative in early 2006. It has begun to fulfill the role of administering whistleblower protection and financial disclosure policies and for providing ethics advisory and standard-setting capacity within the United Nations. The office reports directly to the Secretary-General. The office ensures that staff are not subjected to reprisals due to any information they have provided, and maintains confidential records of this



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STEEPED IN HISTORY

Left: At its inception, the U.N. was headquartered in the New York City Building at the World Fair grounds in Flushing Meadows, NY. The 50-foot flagpoles fly the colors of the 59 Member States form a circle around the garden in front of the General Assembly meeting hall. Photo courtesy of UN Photo.

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information and the advice it dispenses to bolster the ability of United Nations staff to achieve the highest standards of performance and integrity.

B. Protection from Retaliation Against Misconduct

Following consultations with staff and expert bodies, the United Nations promulgated a new "Whistleblower Protection Policy" (5), entitled “Protection against Retaliation for Reporting Misconduct and for Cooperating with Duly Authorized Audits or Investigations.” The new policy addresses concerns raised by staff in a 2004 integrity perception survey, and provides full assurance to those seeking to report misconduct that their voices are heard and that they are protected from retaliation. Together with the Ethics Office rules, these provisions went into effect January 2006.

C. Financial Disclosure and Conflict of Interest

For the purpose of expanding the scope of financial disclosure currently required of senior officials, including short-term staff, on November 25, 2005, the Secretary-General promulgated a

new policy, entitled “Financial Disclosure and Declaration of Interest Statements” (6). The General Assembly has since approved the expansion of the policy’s coverage to include director-level staff, and additionally requires those with procurement and other fiduciary responsibilities to comply irrespective of level.

D. Ethics Training for Staff

The United Nations has now reviewed all learning programs and added or strengthened ethics and integrity components. Existing programs (e.g., Procurement & Contract Management; Human Resources Management; Performance Management for DPKO Field Missions) now include sections, modules, or activities on ethics and integrity issues. A new mandatory Management Development Program for P4/5 level staff has been designed with more explicit and extensive references to ethics, integrity, and accountability. The Competency-based Selection and Interviewing Skills program now also incorporates a one-day intensive module covering interviewing techniques to assess ethical standards and is reinforced by an online reference tool.

As an additional follow-up to the Integrity Perception Survey of 2004, work is in progress on a user-friendly booklet to draw attention and give easier access to the content of the U.N. Code of Conduct and Conflict of Interest Rules. This booklet will be published after technical and legal review.

Another improvement, the Integrity Awareness Initiative Online Learning Programme, was launched in September 2005. It is designed to promote awareness of U.N. core values and covers four specific areas (personal integrity, integrity in the U.N. working environment, integrity in dealing with others, and reputation management). To date, almost 5,000 staff have registered for and over 3,600 have completed the Programme, which can be flexibly adapted and updated in line with changing needs and concerns. Versions in French and on CD-ROM are also available.

Recently, a U.N.-wide ethics training and certification program, entitled "Harassment, Sexual Harassment, & Abuse of Authority," was developed in collaboration with the U.N. Development Group. It is intended to reinforce the U.N.'s zero tolerance policy.

E. Workplace Harassment Policy

The U.N. already has in place rules against sexual harassment and other forms of harassment, discrimination, and abuse of authority. At present, new administrative issuances consolidating all of these policies are being prepared, reinforcing the importance the Secretary-General attaches to a workplace free from any form of harassment, discrimination, and abuse of authority. It has now become mandatory for all staff to participate in a new online prevention program jointly developed by the U.N. and U.N. Development Group, which includes one module specifically designed for managers (7), "Prevention of Workplace Harassment, Sexual Harassment and Abuse of Authority." The online tools are currently available in English, French, and Spanish and will ultimately be accessible in three other official languages. Staff consultations were instrumental in designing a broader harassment policy.

F. Anti-Fraud and Corruption Policy

While the U.N. already has in place various rules and policies designed to prevent fraud and corruption, there was no single integrated policy that staff could easily access and comply with.

A series of staff rules with supporting instructions have been established, but none of them address the whole range of issues surrounding fraud prevention and corruption. However, following a recommendation of the U.N.'s external auditors, it is now consolidating these into a stand-alone, comprehensive anti-fraud and corruption policy. The policy uses the lessons learned from best practices, including the model recently developed by the World Bank.

A working group on fraud prevention has drafted a policy with input from U.N. Funds and Programmes. Among other things, it institutionalizes a much more rigorous system of training and awareness-raising initiatives for all U.N. staff. Currently, draft policy has been considered by the Management Committee and implementation is underway. In essence, the policy articulates the distinct roles and responsibilities that management, staff, the Ethics Office, the Fraud Prevention

Officer, and OIOS play in implementing the policy.

G. Sexual Exploitation and Abuse

The United Nations is committed to enforcing the organization's zero-tolerance policy in all field activities and in U.N. offices all over the world. The organization is taking systematic disciplinary action where individual cases of sexual exploitation and/or abuse have been identified, with almost 100 U.N. staff and peacekeepers either fired or expelled. Furthermore, the following measures have been taken to prevent such abuses from occurring in the future:

- The introduction of a unified standard of conduct across all categories of peacekeeping personnel. Training is mandatory and has been integrated into all mission induction programs for all categories of personnel.
- Credible complaints mechanisms have been established in all missions, including telephone hotlines and confidential email accounts.
- A global review on the state of discipline in all peacekeeping missions was undertaken by OIOS in April 2005, and the recommendations are being implemented.
- A group of legal experts is examining ways to ensure that U.N. staff and experts on missions are held accountable for criminal acts committed while serving in U.N. peacekeeping operations, and where no functioning judicial system exists. Their report has been available since March 2006.
- In June 2005, the General Assembly approved 35 new OIOS investigator positions and additional investigative resources for following up allegations of misconduct in peace missions.
- DPKO has established a dedicated conduct and discipline team at U.N. Headquarters, which has been fully operational since October 2005. Similar teams have been established over the past months in eight peacekeeping missions to prevent misconduct, through means such as training, monitoring, and providing improved welfare and recreation facilities.
- In the longer term, the Secretary-General will undertake a comprehensive review of the welfare and recreation needs for all peacekeeping personnel.

- The model agreement with troop-contributing countries has been revised to strengthen its content on conduct and discipline. Discussions are underway with Member States.
- A comprehensive database is being developed to track misconduct cases for all categories of peacekeeping personnel and prevent offenders from being rehired.

Member States requested that the Secretary-General present a comprehensive approach to victims' assistance for submission to the General Assembly. In the meantime, missions are ensuring that victims of sexual abuse are referred to existing emergency assistance in the mission area (medical, psycho-social, and legal).

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II. Strengthening Oversight and Accountability

Several serious shortcomings in the area of oversight and accountability were identified by the Volcker Inquiry and as a result of other crises. The existing control systems for monitoring management performance and preventing fraud and corruption were found to be insufficient and needed to be significantly enhanced.

A. The Secretary-General's Internal Committee for Implementation of Oversight Recommendations

To address shortcomings identified by both the General Assembly and the Volcker Inquiry and to increase the effectiveness of the oversight function, on September 7, 2005, the Secretary General approved the creation of an Oversight Committee (8).

It was intended that this committee would ensure that appropriate and prompt management action is taken to

implement the recommendations of the Office of Internal Oversight Services, the Board of Audit, and the Joint Inspection Unit. A new tracking system has been developed that provides for more effective follow-up of the 500-plus important audit recommendations issued each year.

In the light of the General Assembly's recent decision to establish an independent audit advisory committee, and responding to suggestions from the Administrative Committee (ACABQ) and Member States, the precise terms of reference, title membership, and reporting lines of this internal committee were revised and the Committee is now functional.

B. Strengthened Capacity of the Office of Internal Oversight Services in Audit and Investigation

The Secretary-General has underlined the need to strengthen the OIOS and to provide adequate resources to those tasked with auditing and investigation. As such, he welcomed the world leaders' decision in the Summit Outcome to significantly strengthen the expertise, capacity, and resources of the Office of Internal Oversight Services (OIOS). In December 2005, Member States voted to add 39 positions to increase the capacity of OIOS's audit and investigatory capacities. Recently performed external evaluation of the Organization's oversight systems is intended to provide for further reinvigoration and realignment of these important functions.

C. Independent External Evaluation

This evaluation reviewed the general oversight and management accountability framework of the U.N. It determined adequate funding levels for OIOS, the scope and nature of its activities, the roles and responsibilities for management, and any additional measures necessary for operational independence of oversight. The General Assembly approved resources for external evaluation in December 2005, and the results of this external review were forwarded to the General Assembly in June 2006.



D. Independent Audit Advisory Committee

World leaders at the Summit agreed to develop an independent oversight advisory committee that would "enhance the independence of the [U.N.'s] oversight structures," and serve as a tool for the General Assembly to better exercise its oversight responsibilities. Following a review of best practices and benchmarks of similar audit and oversight committees, and the views and input from the organization's own oversight bodies, the Secretary-General submitted proposals to the General Assembly for the establishment of the Independent Audit Advisory Committee (9). This report set out the provisional terms of reference for the Committee, including its composition, selection process, and the qualification of experts. These terms of reference, which were reviewed within the context of the independent review of Governance and Oversight, were also set out in the General Assembly documents (10). The terms of reference for the Independent Audit Oversight Committee have been completed,

reviewed within the independent review of governance and oversight of the U.N., funds, programs and specialized agencies. The committee is now functional.

E. Expanding Services of the Office of Internal Oversight Services

In its annual report to the General Assembly, the Office of Internal Oversight Services (OIOS) proposed expanding its services to United Nations agencies that request such services.

III. Updating the Organization

A. Supporting Secretary-General's Managerial Responsibility

The Summit Outcome Document called on the Secretary-General to develop proposals to ensure that the existing budgetary, financial, and human resources policies, regulations, and

rules are aligned with the current and future needs of the organization, with a view to enabling him to carry out his managerial responsibilities more effectively. The objective of the review is to update the organization's policies and procedures to create more efficient workflows and effective services, especially given increased in-field operations. This review is now conducted through a broad consultative process, including both United Nations and external expertise.

B. Review of Mandates Older than Five Years

In the Summit Outcome, world leaders asked the General Assembly and other relevant bodies to review mandates older than five years "in order to strengthen and update the programme of work of the United Nations so that it responds to the contemporary requirements of Member States." They also asked the Secretary-General to facilitate this review with analysis and recommendations, in order to refine the organization's focus and renew its objectives. Concurrently, the President of the General Assembly initiated informal consultations on both mandates review and management reform, and in December 2005 appointed two co-chairs to lead this process with the Member States. The review of mandates is now a continuous task.

C. Framework for a One-Time Buy-Out of Staff

The Secretary-General recommended a one-time staff buy-out to rejuvenate the Secretariat and realign staff competencies to meet the organization's new demands. World leaders at the Summit asked him to submit to the General Assembly a detailed proposal and framework for the staff buy-out, which included a detailed methodology and cost parameters. Drawing on the experience of the U.N. Development Programme and other organizations in this area, the buy-out was structured to ensure that it achieved its intended purpose and that the right personnel to carry out ongoing tasks were retained. Clear criteria for the buy-out were established in consultation with staff.

IV. Improving Senior Management Performance

A. Management Performance Board

In order to ensure a rigorous monitoring of individual offices and managers, the Secretary-General has created the Management Performance Board (MPB). It systematically assesses the performance of senior managers, brings relevant matters to the Secretary-General's attention, and advises him on suggested corrective action, where necessary.

The second organizational meeting of the Management Performance Board was held in December 2005, and a framework for assessing performance based on qualitative and quantitative benchmarks has been adopted.

B. Executive-Level Decision-Making Committees

The existing Senior Management Group, established in 1997 and comprising all heads of Secretariat Departments and U.N. Offices, Funds and Programmes, has improved coordination and coherence within the U.N. family. In practice, however, while having real utility as an information-sharing body, it has proved too large for effective and timely decision-making. As a result, two new, senior committees chaired by the Secretary-General – one dealing with Policy issues and the other on Management – have been created to enhance the quality and speed of top-level decision-making. The modus operandi of these committees has ensured clear, action-oriented outcomes with better definition of responsibility areas and timelines for implementation. Both Committees meet regularly, and the quality and timeliness of decision-making has improved significantly.

C. Selection System for Senior Officials

The United Nations has introduced a new transparent selection system for all new heads of U.N. Funds and Programmes to ensure a much wider search for qualified candidates and a rigorous open-selection process against pre-determined criteria. There is a strong focus on ethics and

accountability in a new Orientation/ Induction Programme for recently appointed senior managers (USGs and ASGs). These individuals are now also screened through a new, more systematic panel interview process.

This is helping to build a new generation of U.N. senior leaders, recruited on the basis of merit and a proven combination of substantive, political, managerial, and leadership skills. Since 2005, several high-level appointments have been made using the new system, including those of the UNDP Administrator Programme, the Under-Secretary-General for Internal Oversight Services, and the new U.N. High Commissioner for Refugees. The Secretary-General has also introduced a dismissal clause in the contracts of all senior-level appointees to further enable him to safeguard the interests of the organization.

In 2006, the Department of Peacekeeping Operations (DPKO) developed new criteria for the appointments of its senior-level field managers that borrowed from the Secretary-General's new selection system.

D. Induction of Senior Officials

A more robust approach is needed to ensure that once senior officials are appointed, they are properly briefed on the broader system of U.N. rules, regulations, codes of conduct, and managerial systems. At the direction of the Secretary-General, a number of departments within the Secretariat have pursued senior leadership training.

A workshop entitled, "Working Together: Ethics and Integrity in our Daily Work," was successfully piloted in October 2005, and in 2006 was mandated for all staff members in the U.N. Secretariat. Since 2006, it has been integrated into the general Orientation Programme for New Staff and the new Leadership Development Programme (Director 1/2 level).

Two booklets, "Profile of an Effective Department" and "Profile of an Effective Manager" have been published as organizational development tools to record best practices within the U.N. Secretariat and focus on core values such as integrity and accountability. These are key reference points in the newly designed web-based 360-degree self-

assessment tools that are used in the context of individual Leadership and Management Development Programmes. A new online all-staff survey (the Organizational Effectiveness Indicator) used in the framework of the department-based organizational Development Programme has also been designed and successfully piloted.

Newly appointed senior leaders to DPKO peacekeeping missions are required to undertake mandatory induction training and development programs within the first six months of appointment as a condition of their service. This training policy is intended to acquaint them with the functioning of DPKO and peace operations, as well as to help them acquire critical knowledge and an understanding regarding their accountability in terms of program, human resources, and financial management. Such inductions for DPKO officials take place twice a year. At the same time, a broader induction program for officials in the Secretariat is under development. Under Secretaries-General and Assistant Secretaries-General participate in an "Orientation and Induction Programme"; director levels in a "Leadership Development Programme"; and P4s and P5s in a modified "People Management Training Programme." Such sessions are held twice a year.

V. Increasing Transparency

A. Access to Information and U.N. Documents

While a large number of documents are currently accessible and available to Member States, including the organization's internal audit reports, the U.N. needs a clear and consistent policy that increases transparency but also ensures confidentiality where needed. External expertise and experiences were solicited and integrated into a new draft policy, which was considered by the Management Committee in December 2005.

B. Review of the U.N. Procurement System

Since the mid-1990s, the U.N.'s procurement process has undergone several reforms, making it more transparent and addressing many shortcomings identified in several reviews. The Secretariat commissioned a review by the U.S. National Institute of Government Purchasing (NIGP), which was submitted in June 2005.

Disclosures in 2005 necessitated an additional review to look exclusively at the adequacy of the financial and internal controls on the procurement system. This report was completed by the international firm of public accountants Deloitte Touche, which submitted its findings in January 2006. In the summer of 2005, an OIOS audit of procurement in peacekeeping operations was requested by the General Assembly. Findings and recommendations from that audit were finalized in the following year.

Due to the gravity of the findings from these reviews and audits, two further audits were conducted, with forensic and management audits performed respectively by Deloitte Touche and OIOS. A number of investigations into related allegations of wrongdoing are also underway, with a specific Task Force having been established by OIOS for this purpose.

C. Policy Guidance on Pro-Bono Contracts

A Secretariat working group led by the Office of Legal Affairs has drafted a new policy on the provision of pro-bono goods and services offered to the U.N., building on a body of disparate existing practice and precedent. Policy guidelines for acceptance of pro-bono contracts were endorsed by the Management Committee in 2005, were promulgated by the Secretary-General in March 2006, and have been in effect since.

Conclusion

The United Nations system is in the process of renewing itself to fit the changing requirements of the environment. The degree of success, though, will be determined when the implementation is evaluated over time.

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Notes

1. The report of Joint Inspection Unit, JIU/REP/95/2.
2. United Nations Economic and Social Council, Committee of Experts on Public Administration, Fifth session, New York, 27-31 March 2006, Agenda item 5, Compendium of basic terminology in governance and public administration: Definition of basic concepts and terminologies in governance and public administration, E/C.16/2006/4, January 2006.
3. The Report of the United Nations General Assembly, A/55/502.
4. The Report of the United Nations General Assembly, A/60/312.
5. Secretary General's Bulletin, ST/SGB/2005/21.
6. Secretary General's Bulletin, ST/SGB/2005/19.
7. Secretary General's Bulletin, ST/SGB/2005/20.
8. Secretary General's Bulletin, ST/SGB/2005/18.
9. The Report of the United Nations General Assembly, A/60/568.
10. The Report of the United Nations General Assembly, A/60/568.

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