

**Statement by representative of the  
Secretary-General at the Fifth Committee of the General Assembly**

**Secretary-General's bulletin on Personal Status for purposes of  
United Nations entitlements**

On behalf of the Secretary-General, I would like to explain the rationale underpinning the issuance of the revised Secretary-Generals' bulletin on Personal Status for the purpose of United Nations entitlements.

Embracing diversity and the principle of non-discrimination are values at the core of the United Nations. As Chief Administrative Officer of the Organization, the Secretary-General has the privilege and the duty to ensure that these values are upheld and championed in the United Nations at all times.

The United Nations operates globally with a highly diverse workforce. Staff members, representing almost two hundred different nationalities, work together to deliver on our mandates. Tens of thousands of men and women with different backgrounds, ethnic origin, sexual orientation, religion and belief, some young, some older, of different races and cultures, complementing each other's strengths and talents.

Many staff members, however, do not work in their home countries. They serve and live abroad, for extended periods of time, if not for their entire career. They often marry at their duty station or where they live; many times their spouses are of a different nationality. Their children are born where they live and serve, and some adopt children from outside their home countries.

The previous approach of determining personal status for the purpose of UN entitlements exclusively on the basis of nationality led to discriminatory treatment of staff from different countries. Member States were requested by the United Nations to take a position on each other's legally established personal status determination. Staff members successfully sued the Organization, creating legal and financial liabilities for the Organization.

It is further noted that under the revised Secretary-General's Bulletin, the law of nationality of a staff member applies if a staff member marries, divorces or adopts a child in his or her country of nationality. Moreover, the United Nations determination of the personal status of a staff member would have no bearing on how the country of that individual's nationality would determine his or her status.

The Charter designates the Secretary-General as Chief Administrative Officer of the United Nations. Article 101(1) of the Charter further provides that staff members are "appointed by the Secretary-General under regulations established by the General Assembly." The Assembly has promulgated Staff Regulations that further authorize the Secretary-General to "provide and enforce such staff rules" consistent with the Staff Regulations as the Secretary-General "considers necessary."

The Assembly has confirmed his wide discretionary authority in that function time and time again. It was under that authority that the Secretary-General decided to align the administrative approach of the United Nations in his bulletin with its operational needs, its legal obligations, and its core values.

His decision was based on full and careful consideration of the Member States' diverse views on the matter and fully complies with prior Assembly resolutions.

We believe that the content and issuance of the revised Secretary-General's bulletin were within the prerogative of the Secretary-General, as routinely reaffirmed by the General Assembly.

The Assembly recognizes the value of diversity represented through the people serving this global Organization. As the Secretary-General and the staff champion the United Nations' core values and principles of non-discrimination, we hope that the General Assembly recognizes his authority as Chief Administrative Officer to take decisions in administrative matters to comply with our values and legal obligations. The Secretary-General trusts you support that no one should be discriminated against at the workplace and that the United Nations should lead by example.