

May 7, 2009

The Pension Board
UNJSFP

I wish if you can take up with the Pension Board of UNJSFP the issues of "Entitlement to survivors' benefits" since the operation of the fund now neglects the rights of the potential surviving spouse. Many UN staff (especially in 3rd-world countries) suffer immensely when the spouse has no jurisdiction over the ways in which the pension is disbursed upon retirement, complete withdrawal, lump sum and reduced pension or full-pension. There are unreported stories how reckless husbands take complete withdrawals on lump sums and squander the money reducing the spouse to pauper status or forcing her to accept a financial situation to which there was no mutual agreement in the first instance. After all, UNJSFP is part of the United Nations, the very body that promotes the rights of women.

The pension of a UN staff member is legally a marital property and therefore the spouse has a pre-conditional right to the decisions made by the participating member in the disbursement of the pension annuity. That is why I underscore **that full disclosure – in writing – to the nonparticipant spouse must be made, and that spouse should be advised to obtain an independent legal (and possibly also financial) advisor in connection with the waiver. Any consent of the nonparticipating spouse to an optional benefit selected by the participant should be notarized.** Therefore, to make UNSJPF more socially responsible I recommend that in the case of married persons, the participant and his/her spouse must execute the necessary forms to entitle the participant to receive retirement benefits under the United Nations Joint Staff Pension Fund. As you may be aware, US Department of Labor's **Employee Retirement Income Security Act (ERISA)** grants these rights of law to the nonparticipating spouse for public pensions and a similar law is followed in many other countries as well.

I urge you to present this recommendation to the UNJSFP Pension Board for the welfare of women. Any actions UNJSFP can subscribe to this women equality ethic will be appreciated by the socially-responsible public of the world.

Thank you,

Yours truly

Merrill Cassell – Former Budget Director of UNICEF