

THIRD SESSION OF THE SUBCOMMITTEE ON PROGRAM, BUDGET, AND ADMINISTRATION OF THE EXECUTIVE COMMITTEE

Washington, D.C., USA, 11-13 March 2009

Provisional Agenda Item 5.1

SPBA3/11, Rev. 1 (Eng.) 5 February 2009 ORIGINAL: ENGLISH

AMENDMENTS TO THE PASB STAFF RULES AND REGULATIONS

- 1. In accordance with the provisions of Staff Rule 020, the Director submits for confirmation to the 144th Session of the Executive Committee, as Annex A to this document, the amendments to the Staff Rules made since the Committee's 143rd Session.
- 2. The amendments described in Section I of this document are based on decisions taken by the 63rd Session of the United Nations General Assembly* which were based on recommendations made by the International Civil Service Commission (ICSC) and on decisions taken by the 62nd World Health Assembly.
- 3. The amendments described in Section II of this document are made in the light of experience and in the interest of good human resources management.
- 4. Section III of this document contains a proposed amendment to Staff Regulation 11.2. This amendment is needed for consistency with Staff Regulation 13.4 and Staff Rule 1240.2. Annex B presents the text of the proposed Staff Regulation amendment.

^{*} See, Resolutions A/RES/63/250 and A/RES/63/251 of the 63rd Session of the United Nations General Assembly.

SECTION I

Staff rule amendments considered necessary in light of decisions made at the 63rd Session of the U.N. General Assembly, based on recommendations of the ICSC, and on decisions taken by the 62nd World Health Assembly

Remuneration of professional and higher categories

- 5. Consistent with recommendations of the International Civil Service Commission, the United Nations General Assembly agreed that the current base/floor salary scale for the professional and higher categories should be increased by 2.33% through the standard consolidation method of increasing base salary and commensurately reducing post adjustment multiplier points (i.e., on a no loss/no gain basis), to come into effect on 1 January 2009.
- 6. Amendments to Appendix 1 of the Staff Rules have been prepared accordingly and appear in Annex C of this document.

Salaries of staff in ungraded posts and the Director's salary

- 7. As a result of the change in salary for staff in the professional and higher-graded categories, a similar revision to the salaries for the posts of Director, Deputy Director, and Assistant Director is also required.
- 8. Using the same process of consolidating post adjustment multiplier points into base salary on a "no-gain, no-loss" basis, the salaries for these three positions have been adjusted accordingly. In conformity with Staff Rule 330.4, the Executive Committee is asked to approve the resulting salary changes for the posts of Deputy Director and Assistant Director and to recommend to the 49th Directing Council the applicable salary revision for the post of Director.

Review of the level of the Education Grant and the Special Education Grant

- 9. Regarding the education grant, the UN General Assembly agreed with the Commission's recommendations that with effect from the school year in progress on 1 January 2009:
- (a) The maximum admissible expenses and the maximum education grant should be adjusted for 10 zones (namely Austria, Belgium, Italy, the Netherlands, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and the United States dollar area outside the United States).

- (b) The maximum admissible expenses and maximum education grant should remain at the current levels for Denmark, France (except as specified at paragraph (d) below), Germany, Ireland and Japan.
- (c) The separate zone for Finland should be discontinued and claims subsumed into the United States dollar area outside the United States.
- (d) Special measures should be maintained for China, Indonesia, and the Russian Federation and should be introduced for Hungary, Bulgaria, and two additional schools in Paris.
- (e) The flat rates for boarding and the additional amounts for reimbursement of boarding costs over and above the maximum grant payable to staff at designated duty stations are revised.
- (f) The amount of the special education grant for each disabled child should be equal to 100% of the revised amounts of the maximum allowable expenses for the regular grant.
- 10. The amendments to Appendix 2 of the Staff Rules have been prepared taking into consideration the decisions of the UN General Assembly and the World Health Assembly and are attached to this document as Annex D.

Temporary Appointments

11. In order to harmonize PAHO's Staff Rules with decisions taken by the UN General Assembly during its 63rd Session regarding the benefits which accrue to staff members holding temporary appointments, PASB proposes to amend Staff Rule 360.1 to allow staff members holding temporary appointments to receive the hardship component of the mobility and hardship allowance. In addition, the requirement that individuals be assigned or transferred to an official duty station for one year or longer is removed in recognition that the assignment or transfer of fixed-term or career service staff to an official duty station is normally for periods in excess of one year, that temporary staff assignments may be for an uninterrupted period of up to two years, and that these allowances are paid as from the first day of assignment and not retroactively after one year of service time has accrued. Finally, the name of the rule is changed to reflect the three components of the scheme: the hardship, mobility, and non-removal allowances.

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12. In addition, for consistency with the UN common system, Staff Rule 640.5 is amended to provide that staff members holding temporary appointments are eligible for home leave. Given the maximum two-year limit for temporary appointments, only temporary staff assigned to a 12-month PAHO duty station (i.e., Haiti and Guyana) would be eligible for home leave after 12 months at the duty station and contingent on their contracts continuing for at least three months upon their return from home leave or their eligibility date for home leave, whichever comes later.

SECTION II

Staff Rule Amendments Considered Necessary in Light of Experience and in the Interest of Good Human Resources Management

Effective Date

13. Staff Rule 040 is amended to provide that the Staff Rules are effective from 1 July 2009 onward.

Definition of "Dependant Child"

14. Staff Rule 310.5.2 has been amended to clarify that if both parents are members of international organizations that apply the common system of salaries and allowances, the children, if determined to be dependent, will be recognized as the dependent of the parent whose annual gross occupational earnings yield the higher amount. This amendment reflects the appropriate UN common system compensation principles.

Eligibility for Assignment Grant

15. Staff Rule 365.1.2 is amended to clarify that children age 21 years and older do not qualify for the assignment grant.

Meritorious within-Grade Increase

16. Staff Rule 555.2 has been rewritten to make it easier to understand and has been amended to clarify that a staff member's service with the Bureau must have been uninterrupted in order to qualify for a within-grade increase based on service time.

Leave Without Pay

17. Staff Rule 655.2.3 is amended for consistency with the title change to Staff Rule 555.2.

Special Education Grant Travel

18. Staff Rule 825 has been amended to ensure consistency and equality between staff members entitled to education grant travel and staff members entitled to special education grant travel.

Conduct and Disciplinary Measures

19. Staff Rule N 620.1 is amended for consistency with Staff Rule 1110.

SECTION III

Staff Regulation Amendments Considered Necessary in Light of Experience and in the Interest of Good Personnel Management

Appeals

20. Staff Regulation 11.2 is amended to recognize that PAHO staff currently have recourse in appeal matters to the International Labour Organization Administrative Tribunal (ILOAT) and not the United Nations Administrative Tribunal, as indicated in the rule. This amendment provides consistency with Staff Regulation 13.4 and Staff Rule 1240.2, which was recently amended by PAHO's Governing Bodies to recognize the jurisdiction of the ILOAT over PAHO staff member appeals.

Action by the Subcommittee on Program, Budget and Administration

21. In consideration of these amendments, the Subcommittee may wish to take note of the following proposed resolution which will be presented to the 144th Session of the Executive Committee:

Proposed Resolution

THE 144th SESSION OF THE EXECUTIVE COMMITTEE,

Having considered the amendments to the Staff Rules of the Pan American Sanitary Bureau submitted by the Director in the Annex to Document CE:144/_____,

Taking into account the actions of the 62nd World Health Assembly regarding the remuneration of Assistant Directors-General, Regional Directors and the Director-General.

Bearing in mind the provisions of Staff Rule 020 and Staff Regulation 3.1 of the Pan American Sanitary Bureau, and

Recognizing the need for uniformity in the conditions of employment of staff of the Pan American Sanitary Bureau and the World Health Organization, and in the interest of good personnel management,

RESOLVES:

- 1. To confirm in accordance with Staff Rule 020 the amendments to the Staff Rules that have been made by the Director, with effect from 1 July 2009, concerning: remuneration of staff in the professional and higher categories, education and special education grant, hardship and mobility allowance, home leave, effective date, definition of dependant child, assignment grant, meritorious within-grade increase, leave without pay, special education grant travel, and conduct and disciplinary measures.
- 2. To establish the annual salary of the Deputy Director of the Pan American Sanitary Bureau, effective on 1 January 2009, at US\$ 177,032 before staff assessment, resulting in a modified net salary of \$128,071 (dependency rate) or \$115,973 (single rate).
- 3. To establish the annual salary of the Assistant Director of the Pan American Sanitary Bureau, effective on 1 January 2009, at US\$ 175,494 before staff assessment, resulting in a modified net salary of \$ 127,071 (dependency rate) or \$ 114,973 (single rate).
- 4. To recommend to the 49th Directing Council the adoption of the following resolution:

THE 49th DIRECTING COUNCIL,

Considering the revision to the base/floor salary scale for the professional and higher-graded categories of staff, effective 1 January 2009,

Taking into account the actions of the 62nd World Health Assembly regarding the remuneration of the Regional Directors,

Recognizing the need for uniformity in the conditions of employment of staff of the Pan American Sanitary Bureau and the World Health Organization and consistency within PAHO Staff Rules and Regulations,

RESOLVES:

- 1. To establish the annual salary of the Director of the Pan American Sanitary Bureau effective on 1 January 2009, at US\$ 194,820 before staff assessment, resulting in a modified net salary of \$ 139,633 (dependency rate) or \$125,633 (single rate).
- 2. To approve the amendment to Staff Regulation 11.2 clarifying the jurisdiction of the Administrative Tribunal of the International Labour Organization over PAHO appeal matters.

Annexes

STAFF RULE AMENDMENTS

Former Text	Proposed Text
040. EFFECTIVE DATE	040. EFFECTIVE DATE
These Staff Rules are effective as from 1 January 2008, unless otherwise specified, and supersede all Rules in force before that date. All subsequent modifications shall be effective as from the date shown thereon.	These Staff Rules are effective as from 1 July 20089, unless otherwise specified, and supersede all Rules in force before that date. All subsequent modifications shall be effective as from the date shown thereon.
310. DEFINITIONS	310. DEFINITIONS
310.5.2 a child as defined by the Bureau and for whom the staff member certifies that he provides the main and continuing support, provided that the child is under 18 years of age or, if in full-time attendance at a school or university, under the age of 21 years. Age and school attendance requirements shall not apply if the child is physically or mentally incapacitated for substantial gainful employment, either permanently or for a period expected to be of long duration. If both parents are staff members of international organizations applying the common system of salaries and allowances, the children, if determined to be dependant, shall be recognized as the dependants of the parent holding the higher level post;	310.5.2 a child as defined by the Bureau and for whom the staff member certifies that he provides the main and continuing support, provided that the child is under 18 years of age or, if in full-time attendance at a school or university, under the age of 21 years. Age and school attendance requirements shall not apply if the child is physically or mentally incapacitated for substantial gainful employment, either permanently or for a period expected to be of long duration. If both parents are staff members of international organizations applying the common system of salaries and allowances, the children, if determined to be dependant, shall be recognized as the dependants of the parent holding the higher level post whose annual gross occupational earnings yield the higher amount;
••••	

360. MOBILITY AND HARDSHIP SCHEME

360.1 Staff members, except those holding temporary appointments as defined in Rule 420.3 or those appointed under Rules 1310, who are assigned or transferred to an official station for a period of one year or longer, shall receive non-pensionable allowances designed to recognize varying degrees of hardship at different official stations and provide incentives for mobility.

360. MOBILITY, AND HARDSHIP AND NON-REMOVAL SCHEME

360.1 Staff members, except those holding temporary appointments as defined in Rule 420.3 or those appointed under Rules 1310, who are assigned or transferred to an official station for a period of one year or longer, shall receive a non-pensionable allowance designed to recognize varying degrees of hardship at different official stations and provide incentives for mobility. A non-pensionable allowance designed to recognize varying degrees of hardship at different official duty stations will also be paid to staff members holding service, fixed-term or temporary appointments.

. . . .

. . .

365. ASSIGNMENT GRANT

. . . .

365.1.2 travel per diem, in respect of each family member accompanying or joining the staff member at the Bureau's expense under Rule 820, except for children eligible for travel under Rule 820.1.4, for 30 days at half the rate after their arrival.

365. ASSIGNMENT GRANT

. . . .

365.1.2 travel per diem, in respect of each family member accompanying or joining the staff member at the Bureau's expense under Rule 820, except for children eligible for travel under Rule 820.1.4, for 30 days at half the rate after their arrival. travel per diem for 30 days at half rate, after their arrival, in respect of each entitled family member accompanying or joining the staff member at the duty station for at least six months. This portion of the assignment grant for a dependent child studying outside the duty station is paid in conjunction with the first round trip to the official station provided that the child is expected to return to the duty station for future school vacations. Upon reaching age 21, children are not entitled to the assignment grant.

. . . .

555. MERITORIOUS WITHIN-GRADE INCREASE

555.1 A staff member whose performance has been especially meritorious beyond that which may reasonably be expected of a normally well-qualified staff member, and whose conduct has been satisfactory, may be granted one extra within grade step, or exceptionally two, up to the normal maximum step in the grade. Such increase shall not affect the staff member's eligibility for regular within-grade increases.

555.2 A staff member whose service with the Bureau commenced prior to 1 March 1993 shall qualify, with effect from 1 February 1994, for only one increase under Rule 555.1 during the remaining service in the Bureau. Such increase shall be granted upon completion of either 20 or 25 or 30 years of satisfactory service, whichever occurs first after 1 February 1994. Satisfactory service with the World Health Organization shall be included if credited under Rule 480.1.4.

555. MERITORIOUS-WITHIN-GRADE INCREASE BASED ON MERIT OR SERVICE TIME

555.1 A staff member whose performance has been especially meritorious beyond that which may reasonably be expected of a normally well-qualified staff member, and whose conduct has been satisfactory, may be granted one extra within grade step, or exceptionally two, up to the normal maximum step in the grade. Such increase shall not affect the staff member's eligibility for regular within-grade increases.

555.2 A staff member whose service with the Bureau commenced prior to 1 March 1993 shall qualify, with effect from 1 February 1994, for only one increase under Rule 555.1 during the remaining service in the Bureau. Such increase shall be granted upon completion of either 20 or 25 or 30 years of satisfactory service, whichever occurs first after 1 February 1994. Satisfactory service with the World Health Organization shall be included if credited under Rule 480.1.4. After 1 February 1994, a staff member may qualify, on a one time basis, for a within-grade increase based on years of service if he or she:

555.2.1 commenced service with the Bureau prior to 1 March 1993;

555.2.2 has performed satisfactorily; and

555.2.3 has completed either 20, 25 or 30 years of uninterrupted service. Service time with the World Health Organization shall be included if credited under Rule 480.1.4.

640. HOME LEAVE	640. HOME LEAVE					
• • • • • • • • • • • • • • • • • • • •						
640.5 Internationally-recruited staff members holding fixed term or service appointments are eligible for home leave when:	640.5 Internationally-recruited staff members holding fixed term, temporary, or service appointments are eligible for home leave when:					
655. LEAVE WITHOUT PAY	655. LEAVE WITHOUT PAY					
655.2.3 no service credit shall accrue for the purposes of annual leave, a within-grade increase, completion of probation, repatriation grant, termination indemnity, home leave, meritorious increases under Rule 555.2, and end-of-service grant, Periods of leave without pay or 30 calendar days or less shall not affect the ordinary rates of accrual.	655.2.3 no service credit shall accrue for the purposes of annual leave, a within-grade increase, completion of probation, repatriation grant, termination indemnity, home leave, meritorious within-grade increases under Rule 555.2, and end-of-service grant. Periods of leave without pay or 30 calendar days or less shall not affect the ordinary rates of accrual.					

825. SPECIAL EDUCATION GRANT TRAVEL

The Bureau shall, in accordance with established terms and conditions, pay travel expenses of a staff member's dependant child in respect of whom the staff member is entitled to the special education grant under Rule 355. In this case, the provisions for education grant travel under Rule 820.2.5 shall not apply, except for the round trips under Rules 820.2.5.2. and 820.2.5.3. The provisions of this Rule shall apply to professional and higher category staff not serving in the country of their recognized place of residence, and to staff referred to in Rule 1310.4 recruited outside the local area as well as outside the country of the official station. They shall not apply to other staff referred to in Rule 1310, nor to staff holding temporary appointments as defined in Rule 420.3.

N 620. CONDUCT AND DISCIPLINARY MEASURES

Breaches of conduct shall be dealt with by way of any one or a combination of the following:

N 620.1 written reprimand;

N.620.2 temporary suspension without pay;

N.620.3 withholding of within-grade increase(s);

N.620.4 assignment to a less responsible post;

N.620.5 dismissal.

825. SPECIAL EDUCATION GRANT TRAVEL

The Bureau shall, in accordance with established terms and conditions, pay travel expenses of a staff member's dependant child in respect of whom the staff member is entitled to the special education grant under Rule 355. In this case, the provisions for education grant travel under Rule 820.2.5 shall not apply, except for the round trips under Rules 820.2.5.2. and 820.2.5.3. The provisions of this Rule shall apply to professional and higher category staff not serving in the country of their recognized place of residence, and to staff referred to in Rule 1310.4 recruited outside the local area as well as outside the country of the official station. They shall not apply to other staff referred to in Rule 1310, nor to staff holding temporary appointments as defined in Rule 420.3.

N 620. CONDUCT AND DISCIPLINARY MEASURES

Breaches of conduct shall be dealt with by way of any one or a combination of the following:

N 620.1 written reprimand signed by the HRM Manager;

N.620.2 temporary suspension without pay;

N.620.3 withholding of within-grade increase(s);

N.620.4 assignment to a less responsible post reassignment with or without reduction in grade:

N.620.5 dismissal for misconduct;

N.620.6 summary dismissal for serious misconduct.

STAFF REGULATION AMENDMENTS

FORMER TEXT	PROPOSED TEXT				
Article XI	Article XI				
Appeals	Appeals				
11.2 Any dispute which cannot be resolved internally, arising between the Bureau and a member of the staff regarding the fulfillment of the contract of the said staff member, shall be referred for final decision to the United Nations Administrative Tribunal.	11.2 Any dispute which cannot be resolved internally, arising between the Bureau and a member of the staff regarding the fulfillment of the contract of the said staff member, shall be referred for final decision to the United Nations Administrative Tribunal International Labour				
the Office Nations Administrative Thounas.	Organization Administrative Tribunal.				

ANNEX C

Appendix 1 to the Staff Rules

Salary scale for staff in the professional and higher categories: annual gross base salaries and net equivalent after application of staff assessment (in US dollars)¹

(effective 1 January 2009)

Step

Step															
Level	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
		*	*	*	*	*									
D-2 Gross	145,112	148,187	151,322	154,540	157,757	160,974									
Net D	107,176	109,267	111,359	113,451	115,542	117,633									
Net S	98,461	100,226	101,985	103,707	105,486	107,225									
P6/D-1					*	*	*	*	*						
Gross	132,609	135,310	138,006	140,707	143,409	146,107	148,809	151,578	154,402						
Net D	98,674	100,511	102,344	104,181	106,018	107,853	109,690	111,526	113,361						
Net S	91,206	92,802	94,394	95,982	97,568	99,150	100,725	102,300	103,870						
											*	*	*		
P-5 Gross	109,690	111,987	114,285	116,581	118,879	121,175	123,474	125,771	128,068	130,365	132,662	134,959	137,257		
Net D	83,089	84,651	86,214	87,775	89,338	90,899	92,462	94,024	95,586	97,148	98,710	100,272	101,835		
Net S	77,190	78,578	79,962	81,345	82,726	84,102	85,478	86,851	88,222	89,590	90,956	92,318	93,680	*	*
P-4 Gross	89,982	92,075	94,168	96,261	98,356	100,475	102,694	104,909	107,126	109,340	111,559	113,774	* 115,991	* 118,209	120,426
Net D	69,287	70,794	72,301		75,316	76,823	78,332		81,346		84,360		87,374		90,390
Net S	•	•	·	73,808	•	•	•	79,838	•	82,851		85,866	•	88,882	-
	64,521	65,894	67,266	68,634	70,002	71,369	72,735	74,098	75,460	76,822	78,181	79,540	80,898	82,254 *	83,609 *
P-3 Gross	73,546	75,483	77,424	79,358	81,299	83,235	85,172	87,113	89,050	90,988	92,928	94,863	96,803	98,739	100,716
Net D	57,453	58,848	60,245	61,638	63,035	64,429	65,824	67,221	68,616	80,011	71,408	72,801	74,198	75,592	76,987
Net S	53,629	54,912	56,198	57,480	58,765	60,046	61,328	62,614	63,895	65,178	66,457	67,737	69,014	70,294	71,573
P-2 Gross	50.000	04.040	00.075	05.440	00.040	00.575	70.040	70.000	70 775	75.540	77.040	*			
Net D	59,908	61,643	63,375	65,110	66,843	68,575	70,310	72,039	73,775	75,510	77,242	78,978			
Net S	47,634	48,883	50,130	51,379	52,627	53,874	55,123	56,368	57,618	58,867	60,114	61,364			
1101 5	44,679	45,812	46,941	48,073	49,202	50,334	51,484	52,630	53,782	54,930	56,076	57,227			
P-1 Gross	46,553	48,036	49,514	51,122	52,785	54,450	56,118	57,785	59,447	61,114					
Net D	37,708	38,909	40,106	41,308	42,505	43,704	44,905	46,105	47,302	48,502					
Net S	35,570	36,675	37,781	38,886	39,991	41,095	42,201	43,293	44,379	45,466					

 $^{^{1}}$ D = Rate applicable to staff members with a dependent spouse or child; S = Rate applicable to staff members with no dependent spouse or child.

^{* =} the normal qualifying period for a within-grade increase between consecutive steps is one year, except at those steps marked with an asterisk, for which a two-year period at the preceding step is required (Staff Rule 550.2).

ANNEX D

EDUCATION GRANT ENTITLEMENTS APPLICABLE IN CASES WHERE EDUCATIONAL EXPENSES ARE INCURRED IN SPECIFIED CURRENCIES AND COUNTRIES

(effective school year in progress 1 January 2009)

Country/ currency area Part A Euro	(1) Maximum admissible educational expenses and maximum grant for disabled children	(2) Maximum education grant	(3) Flat rate when boarding not provided	(4) Additional flat rate for boarding (for staff serving at designated duty stations)	(5) Maximum grant for staff members serving at designated duty stations	(6) Maximum admissible educational expenses for attendance (only when flat rate for boarding is paid)
Austria	16 719	12 539	3 709	5 564	18 103	11 773
Belgium Finland (deleted see USD outside USA)	15 458	11 593	3 452	5 178	16 771	10 855
France*	10 263	7 697	2 995	4 493	12 190	6 269
Germany	18 993	14 245	4 179	6 269	20 514	13 421
Ireland	17 045	12 784	2 945	4 417	17 452	12 896
Italy	18 936	14 202	3 128	4 692	18 894	14 765
Luxembourg	15 458	11 593	3 452	5 178	16 771	10 855
Monaco	10 263	7 697	2 995	4 493	12 190	6 269
Netherlands	16 521	12 391	3 844.	5 766	18 157	11 396
Spain	15 139	11 354	3 153	4 730	16 094	10 935
Denmark (kroner)	108 147	81 110	26 219	39 329	120 439	73 188
Japan yen (yen)	2 324 131	1 743 098	607 703	911 555	2 654 653	1 513 860
Norway (deleted see USD outside USA)	-	-	-	-	-	-
Sweden (krona)	157 950	118 462	24 653	36 980	155 442	125 079
Switzerland (Swiss franc)	28 749	21 562	5 458	8 187	29 749	21 472
United Kingdom of Great Britain and Northern Ireland (pound sterling)	22 674	17 005	3 488	5 232	22 237	18 076
Part B United States dollar (outside the United States of America)** Part C	19 311	14 484	3 655	5 483	19 967	14 439
United States dollar (in the United States) ¹	39 096	29 322	5 777	8 666	37 988	31 393

st EXCEPT FOR THE FOLLOWING SCHOOLS WHERE THE US\$ IN THE US LEVELS WILL BE APPLIED:

1. American School of Paris

5. European Management School of Lyon

2. American University of Paris

6. International School of Paris

3. British School of Paris

7. Marymount School of Paris

4. Ecole Active Bilingue Victor Hugo

8. Ecole Active Bilingue Jeanine Manuel

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¹ US dollar in the USA applies, as a special measure, for China, Indonesia, and the Russian Federation. Effective school year in progress on 1 January 2009 special measure also applies for Bulgaria and Hungary.