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FIFTH COMMITTEE  
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at 8 p.m.  
New York

SUMMARY RECORD OF THE 62nd MEETING

Chairman: Mr. PIRSON (Belgium)

Chairman of the Advisory Committee on Administrative  
and Budgetary Questions: Mr. MSELLE

CONTENTS

AGENDA ITEM 105: REPORT OF THE INTERNATIONAL CIVIL SERVICE COMMISSION (continued)

AGENDA ITEM 104: PERSONNEL QUESTIONS (continued)

(b) OTHER PERSONNEL QUESTIONS: REPORTS OF THE SECRETARY-GENERAL (continued)

AMENDMENTS TO THE STAFF RULES

ACCESS BY STAFF REPRESENTATIVES TO THE FIFTH COMMITTEE

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The meeting was called to order at 8 p.m.

AGENDA ITEM 105: REPORT OF THE INTERNATIONAL CIVIL SERVICE COMMISSION (continued)  
(A/34/30 and Corr.1; A/C.5/34/L.23 and L.24)

1. Mr. SCHMIDT (Federal Republic of Germany) said that after holding consultations on draft resolution A/C.5/34/L.23 the sponsors still believed that paragraph 2 of part II was valid in substance, but recognized that new facts had emerged. The principal fact was that several agencies had already adopted the ICSC recommendations, so that adoption of the paragraph might lead to divergencies in the system. As the sponsors considered that the matter was a relatively minor one, they had decided to delete paragraph 2 of part II and to renumber paragraph 3 accordingly.
2. Mr. STEVENS (Sierra Leone) said that his delegation had initiated the discussions on paragraph 2 of part II, and was grateful to the sponsors for their decision. It was now prepared to support the draft resolution as a whole.
3. Mr. PEDERSEN (Canada) said that, as a sponsor of the draft resolution, his delegation would have preferred paragraph 2 of part II to be retained without amendment, because it too believed that the paragraph was valid in substance.
4. Mr. HAMZAH (Syrian Arab Republic) said that his delegation had proposed an amendment to paragraph 2 of part II, and it therefore did not agree with the decision of the sponsors of the draft resolution to delete the paragraph. Moreover, his delegation was still convinced that part III of the draft resolution introduced discrimination between staff members appointed before 1 January 1980 and those appointed subsequently. If the draft resolution was of general interest, it should guarantee justice for all.
5. Mr. SADDLER (United States of America) said that the decision of the sponsors of the draft resolution was a cause of concern to the United States delegation. To facilitate the work, he proposed an amendment to the revised draft resolution and asked that his amendment should be voted on. The amendment was to add to part II a new paragraph 3 reading: "Decides that effective 1 January 1980 no staff member shall be entitled to any part of the repatriation grant unless evidence of relocation away from the country of the last duty station is provided;".
6. Mr. GRODSKY (Union of Soviet Socialist Republics) said that his delegation supported the United States amendment, but wished to propose a subamendment: the word "relocation" should be replaced by the word "repatriation".
7. Mr. HAMZAH (Syrian Arab Republic) said that, if the sponsors accepted the United States amendment, his delegation would maintain the amendments it had already proposed and would submit further amendments.
8. Mr. UCHUNA (Nigeria), supported by Mr. MARTORELL (Peru), said that it would be unwise to submit further amendments at the present stage. The best course would be to vote on the draft resolution as revised by the sponsors.

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9. Mr. LAHLOU (Morocco) proposed a subamendment to the United States amendment, whereby the words "repatriation grant" would be replaced by the words "relocation grant", and the end of the paragraph would be amended to read: "... unless he/she can prove that he/she has left the country of his/her last duty station;".

10. Mr. SADDLER (United States of America) said that he quite understood the position of the Soviet delegation, but he could not accept the proposed subamendment. As to the subamendment submitted by the Moroccan delegation, he proposed that the new paragraph 3 should be amended to read: "Decides that effective 1 January 1980 no staff member shall be entitled to any part of the repatriation grant or relocation grant unless he/she can prove that he/she has left the country of his/her last duty station;".

11. Mr. GRODSKY (Union of Soviet Socialist Republics) said that the question of the payment of the repatriation grant was perfectly clear to his delegation. When that grant had been introduced, it had been paid only to staff members who returned to their native country of origin. An irregular practice had grown up whereby the grant had been given to staff members who had not been entitled to it. His delegation therefore asked that its subamendment should be put to a vote.

12. He added that he would like to know the difference between the repatriation grant and the relocation grant.

13. Mr. DEBATIN (Under-Secretary-General for Administration, Finance and Management) said that there was only one grant, the repatriation grant. He thought it better not to refer in a draft resolution to a non-existent grant. Furthermore, he thought the words "that he/she has left the country of his/her last duty station" were much too vague. The idea of relocation, which implied an actual change of residence, was preferable.

14. Mr. PAL (India) supported the view of the Under-Secretary-General. During its work on the question, the International Civil Service Commission had reached the conclusion that it was not enough for the staff member to prove that he had left the country of the last duty station; he must prove that he had relocated elsewhere.

15. Mr. PEDERSEN (Canada) and Mr. GOSS (Australia) supported the view expressed by the representative of India, and recalled that the discussion at the thirty-third session had related precisely to the difference between relocation in another country and the fact of leaving the country of the last duty station.

16. Mr. KUYAMA (Japan) said that the United States amendment in its original form would be an acceptable compromise.

17. Mr. LAHLOU (Morocco) said that Mr. Debatin's explanations had not dispelled his misgivings about the possibility of cheating. The staff member must provide evidence that he had indeed left the country of his last duty station. That was the purport of the Moroccan proposal.

18. The CHAIRMAN said he was not sure that the text proposed by Morocco would achieve the desired aim, because it was very vaguely worded. He suggested that the representatives of the United States and Morocco should try to agree on a joint text.

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19. Mr. GODFREY (New Zealand) pointed out that the problem arose from the fact that in the present instance the word "repatriation" had the dual meaning of repatriation in the strict sense of the term, and also relocation. His delegation would like the draft resolution to confirm the present practice whereby the repatriation grant was also paid to a staff member who, instead of returning to his native land, took up permanent residence away from the country of his last duty station.

20. Mr. BUNC (Yugoslavia) said that the text should make it clear which organs were empowered to establish that evidence of relocation in a country away from the country of the last duty station had indeed been provided.

21. Mr. SADDLER (United States of America) said that the Moroccan proposal went further than the United States delegation wished to go. He therefore wished to revert to the text which he had originally proposed, and asked that it should be put to a vote.

22. Mr. HAMZAH (Syrian Arab Republic) submitted a subamendment to the United States amendment, replacing the phrase "relocation away from the country of the last duty station" by "relocation in the country of origin".

23. Mr. DEBATIN (Under-Secretary-General for Administration, Finance and Management), replying to a question asked by the representative of Nigeria about the meaning of the word "repatriation", said that the General Assembly had agreed in 1978 that the repatriation grant should be paid not only to staff members who returned to their country of origin, but also to those who took up residence in a country away from the country of the last duty station.

24. Mr. SORDO (Uruguay) said that he accepted the Organization's interpretation of the word "repatriation" to mean repatriation in the strict sense of the term or relocation, but he thought the main problem was that of the authenticity of the evidence of relocation of the staff member in a country away from the last duty station. He therefore proposed that the text should specify that the evidence should be certified by the competent authorities.

25. Mr. PICO DE COAÑA (Spain) said that restricting payment of the repatriation grant to cases where the staff member returned to his country of origin, as provided in the Syrian subamendment, would create serious problems. For married staff members of different nationalities, that would deprive one of the spouses of the grant, thus undermining the unity of the family.

26. Mr. KUYAMA (Japan) proposed that the amendment submitted by the United States of America should be put to the vote immediately.

27. Mr. GRODSKY (Union of Soviet Socialist Republics) said that he would withdraw his subamendment, because the Syrian subamendment was very similar to it.

28. The CHAIRMAN said that the Committee would have to vote first on the Syrian subamendment before the United States amendment was put to the vote. He suggested that section II of draft resolution A/C.5/34/L.23 should then be put to the vote, followed by a vote on that draft resolution as a whole.

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29. Mr. LAHLOU (Morocco) said that it must be understood that his delegation had attempted to find an acceptable wording.

30. The CHAIRMAN put to the vote the oral subamendment proposed by the Syrian Arab Republic to the United States amendment.

31. The subamendment proposed by the Syrian Arab Republic was rejected by 45 votes to 18, with 26 abstentions.

32. The CHAIRMAN put to the vote the oral amendment proposed by the United States of America to draft resolution A/C.5/34/L.23.

33. The oral amendment proposed by the United States of America was adopted by 59 votes to 5, with 24 abstentions.

34. The CHAIRMAN put to the vote section II, as amended, of draft resolution A/C.5/34/L.23.

35. Section II, as amended, was adopted by 87 votes to none with 3 abstentions.

36. Mr. KEMAL (Pakistan) stressed that his delegation attached great importance to section I, paragraph 2, of the draft resolution, in which the Assembly requested ICSC to begin a review of the entire post adjustment system, a review necessitated by the many distortions and anomalies that had been discovered. For example, the salary of an Under-Secretary-General varied from \$60,000 to \$100,000 a year, depending on whether he was serving in New York or in Geneva. That situation could only be described as extraordinary. The proposed study should reveal the real differences in cost of living at the various duty stations.

37. The study must also deal with the anomalies existing in other duty stations, for instance those where few staff members were posted, as in Africa. It was not fair that large differences should exist between the salaries received by staff at different duty stations. There were some duty stations, particularly in Eastern Europe, where post adjustments were abnormally low.

38. It should be noted that the proposed study would also make it possible to overhaul the pension scheme so as to make it more just and equitable.

39. Draft resolution A/C.5/34/L.23 as a whole, as amended, was adopted by 88 votes to none, with 3 abstentions.

40. Mr. LAHLOU (Morocco) noted that the Committee could have adopted the draft resolution by consensus.

41. Mr. HAMZAH (Syrian Arab Republic) said that his delegation had abstained in the vote on the draft resolution because it had felt that section III was discriminatory with regard to staff entering the United Nations service after 1 January 1980, and that the wording of section II, paragraph 2, was not in line with the idea of repatriation.

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42. Mr. UCHUNO (Nigeria) said that his delegation had voted for the draft resolution in the hope that, during the fundamental review of the purposes and operation of the post adjustment system that it was to begin, in accordance with section I, paragraph 2, of the resolution, ICSC would bear in mind the need to place all staff at the same grade level on an equal footing in terms of purchasing power. The review in question should not be based on statistics alone, which could lead to extremely dangerous conclusions. The attitude of staff towards transfers and appointments should also be studied: their reactions could indicate whether remuneration at a given duty station was unduly high or, on the other hand, too low.

43. Mr. JASABE (Sierra Leone) said that his delegation had voted for draft resolution A/C.5/34/L.23 as a whole, but against the amendment proposed by the United States. The amendment would achieve minimal savings and would affect only a few staff members, whereas its implementation would certainly pose legal problems, since other agencies in the United Nations system had already changed their staff rules. Moreover, the matter might be brought before the Administrative Tribunal.

44. Mr. GOSS (Australia) said that his delegation had voted for draft resolution A/C.5/34/L.23 in the hope that the study of the post adjustment system which ICSC was requested to begin would be conducted with the greatest care, because its results would certainly have implications for the United Nations staff pension scheme.

45. Mr. AL-TAKRITI (Iraq) explained that his delegation had abstained in the vote on the draft resolution as a whole because, in spite of long discussions and numerous amendments, the text had remained in its original form: it did not define clearly the idea of returning to a country of origin. Moreover, section III was discriminatory in that it distinguished between employees entering the Secretariat before and after 1 January 1980.

46. The CHAIRMAN invited the Committee to consider the draft decision proposed by the United States and contained in document A/C.5/34/L.24.

47. Mr. PICO DE COAÑA (Spain) said that the post adjustment system was designed to protect staff remuneration from the effects of inflation and the devaluation of the United States dollar. Under present circumstances, it was impossible to predict the adjustments that would be required during 1980. Draft decision A/C.5/34/L.24, if adopted, might equalize post adjustment allowances paid to staff at the D-1 and D-2 levels, depending on the duty station at which they served. Moreover, the Committee had just adopted a resolution in which ICSC was requested to begin urgently a fundamental and comprehensive review of the operation of the post adjustment system; application of the provisions of the draft decision in the meantime would be a cure that was worse than the disease. For all those reasons, his delegation would be obliged to vote against draft decision A/C.5/34/L.24.

48. Mr. HOUNA GOLO (Chad) expressed gratitude to the United States delegation for the statistical analyses it had carried out, but preferred to rely on ICSC, which was instructed to study the problem of remuneration of Secretariat staff. ICSC, however, had not yet expressed its views on an increase in post adjustment allowances for staff at the D-2 level and above. It would be better to await its conclusions on that matter.

(Mr. Houna Golo, Chad)

49. The United States draft decision could mean that the post adjustment allowances paid to D-1 and perhaps even P-5 staff would be identical to those received by D-2 staff; that would obviously have an adverse effect on the latter's morale. Furthermore, it was possible that, if the value of the dollar declined while the cost of living continued to rise, the total remuneration of D-1 and P-5 staff might reach the level of that of D-2 staff. The situation which the General Assembly would thus have created would clearly be intolerable. There were only two solutions: to apply a temporary moratorium on further increases in post adjustment allowances for all staff, which would be logical but unrealistic or, proceeding selectively, to identify anomalies and correct them on the basis of the study carried out by the competent body, i.e., ICSC. His delegation could therefore not support draft decision A/C.5/34/L.24.

50. Mr. FALL (Senegal) wished to know when ICSC would complete the review of the post adjustment system which it had been asked to carry out in the resolution just adopted by the Committee.

51. Mr. AKWEI (Acting Chairman, International Civil Service Commission) recalled that in section II, paragraph 2, of its resolution 33/119 the General Assembly had approved the Commission's intention to continue its efforts to eliminate possible anomalies in post adjustments at certain duty stations. Paragraph 3 of that section of the resolution stated that ICSC should also make a comprehensive examination, as a matter of priority, of the question of pensionable remuneration. It was therefore on that latter question that the Commission would concentrate, especially since the staff members concerned were anxious to know the conclusions of the study. In addition, ICSC had to finish its study on the working conditions of General Service staff in Rome, Geneva and New York, a study whose results were likewise eagerly awaited. In the circumstances, it could only be hoped that the ICSC would be able to cope with all the tasks entrusted to it. With regard to the post adjustment system, a consultant had already been engaged to undertake the initial studies. The Fifth Committee should not, however, be surprised if no final report on the matter were available to it at the thirty-fifth session.

52. Mr. BLACKMAN (Barbados) considered it inadvisable to apply a temporary moratorium on further increases in post adjustment allowances for staff at the D-2 level and above. As had already been explained, the allowances paid to staff at the D-1 level could, as a result of such a measure, equal or even exceed those of D-2 staff. Furthermore, staff stationed in developing countries, which were importing severe inflation from the developed countries, or in New York, where the inflation rate was astronomical, would be disadvantaged by that decision, which would do nothing to ensure a balance between staff members of the same rank.

53. Mr. DOWSE (United Kingdom) recalled that the United States Government had temporarily frozen the salaries paid to its most senior civil servants for reasons of national policy. His delegation thought, as did ICSC, that salaries paid by the United Nations to its staff should not be tied to those of the United States Civil Service. Application of the Noblemaire principle should, on the contrary, lead to a more logical system. Furthermore, as had been said, if the draft decision was adopted, the allowances paid to D-1 staff might be as much as those paid to staff

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(Mr. Dowse, United Kingdom)

at the D-2 level. According to ICSC, the equivalencies between the grade levels had still not been clearly established for senior posts in the Secretariat. It would seem advisable to wait until further details were available so that an informed decision could be made.

54. Paragraph 129 of the ICSC report (A/34/30) showed that the Commission was not convinced that the United States Civil Service was always the best paid national civil service. It was thus definitely not the time to adopt measures modelled on those of the United States Government. The aim of all the Committee's decisions must be to rationalize the United Nations salary system rather than to unbalance it.

55. Despite the small savings which the United States proposal would achieve, his delegation would vote against draft decision A/C.5/34/L.24.

56. Mr. HAMZAH (Syrian Arab Republic) considered that it would be unfair and illogical to single out staff at the D-2 level and above. In view of the fact that ICSC was going to carry out a comprehensive review of the post adjustment system, the arrangements in draft decision A/C.5/34/L.24 could only be strictly provisional.

57. Mr. PEDERSEN (Canada) emphasized that his Government had also imposed a freeze on the salaries of its senior civil servants. It was also acknowledged that the salary system contained distortions and anomalies, created principally by the post adjustment system, and it was considered by some that the salaries of senior staff members were too high. The study requested and the decision which had been proposed might encourage ICSC to study the question without delay. To suggest that the staff members concerned would be disheartened to see their post adjustment maintained at the same level would be to underestimate their dedication. For that reason, his delegation supported draft decision A/C.5/34/L.24.

58. Mr. MAJOLI (Italy) said that he found the explanations given by certain delegations on the possible drawbacks of draft decision A/C.5/34/L.24 convincing. He could well understand, however, the reasons which had led the United States to submit the text, especially since his country had recently taken measures of a similar kind to restrict increases in the highest salaries. However, if it were adopted, the draft decision would merely be temporary in effect, pending the conclusion of the review of the post adjustment system which ICSC was to carry out as a matter of urgency. His delegation would therefore be inclined to abstain in the vote on draft decision A/C.5/34/L.24.

59. Mr. MARTORELL (Peru) endorsed the observations made by the representative of the Syrian Arab Republic and asked the representative of the United States to withdraw draft decision A/C.5/34/L.24, which was discriminatory. If, however, it were put to a vote, his delegation would find itself obliged to vote against the draft.

60. The CHAIRMAN appealed to the representative of the United States not to insist on a vote on the draft decision he had submitted, and to be satisfied by the inclusion of the draft in the documentation of ICSC, since that body was in any case to carry out, as a matter of urgency, a fundamental and comprehensive review

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(The Chairman)

of the purposes and operation of the post adjustment system that had been requested in resolution A/C.5/34/L.23 (sect. I, para. 2) which the Fifth Committee had just adopted almost unanimously.

61. Mr. SADDLER (United States of America) said that, since consultations on the draft decision in document A/C.5/34/L.24 were continuing, he would prefer to postpone any decision on the matter until a later date.

62. The CHAIRMAN noted that, since consideration of item 105 on the report of ICSC had still not been completed, the Committee could if necessary return subsequently to the United States draft decision, and he suggested that the Committee proceed to consideration of another matter.

63. It was so decided.

AGENDA ITEM 104: PERSONNEL QUESTIONS (continued)

(b) OTHER PERSONNEL QUESTIONS: REPORTS OF THE SECRETARY-GENERAL (continued)

AMENDMENTS TO THE STAFF RULES (A/C.5/34/7)

64. The CHAIRMAN suggested that, if there were no comments, the Committee should take note of the Secretary-General's report on amendments to the Staff Rules (A/C.5/34/7).

65. It was so decided.

ACCESS BY STAFF REPRESENTATIVES TO THE FIFTH COMMITTEE (A/C.5/34/29, A/C.5/34/CRP.5 and 6)

66. Mr. DEBATIN (Under-Secretary-General for Administration, Finance and Management) recalled that the Secretary-General had submitted to the Fifth Committee the views of the Staff Committee and of FICSA on the question of access by staff representatives (A/C.5/34/CRP.5 and 6) and had provided background information and his own conclusions and recommendations on the subject.

67. At the thirty-third session, the Fifth Committee had rejected a formal proposal that the President of the Staff Committee should be permitted to make a statement. The question of access by staff representatives had already been raised on a number of occasions, but the Fifth Committee had still not accepted that principle. However, in his closing statement at the thirty-third session, the Chairman of the Fifth Committee had expressed the view that the time had come to give the staff some form of direct representation in the Fifth Committee.

68. The Secretary-General had concluded that the Fifth Committee should extend the principle of consultations with the staff by granting them the right to present their views directly, in recognition of the increasingly active role played by the Fifth Committee in determining conditions of service and of the general trends towards expansion of the dialogue between those who took decisions and those affected by

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(Mr. Debatin)

such decisions. In the United Nations framework, that principle had been established by the General Assembly and embodied in the Staff Regulations and in the statutes of a number of other subsidiary organs of the Assembly such as ICSC and ACABQ.

69. FICSA participated in the meetings of CCAQ and in the work of ACC. In the other United Nations organizations, a number of staff associations and unions had the right to address their legislative bodies under certain conditions. It would seem timely for the Fifth Committee to make similar arrangements.

70. To ensure that access by staff representatives did not impede the work of the Fifth Committee, the Secretary-General proposed the adoption of the following procedures: FICSA should designate a staff representative to make a presentation to the Fifth Committee when that Committee began its consideration of the item entitled "Report of ICSC", and perhaps a second intervention at the end of the debate in the form of comments on any draft resolutions or decisions before the Committee. Furthermore, an elected representative of the staff might make a presentation on behalf of the staff of the United Nations in the context of the agenda item entitled "Personnel questions" under the same conditions. In order to avoid any conflict between the numerous staff associations and unions with regard to their representation, they would have to agree each year on a single spokesperson who would make a presentation on behalf of the United Nations staff and who could bring to the Fifth Committee's attention any differences of views between various associations and unions on a particular issue under consideration. It would be for the Secretary-General to inform the Fifth Committee that the staff representative had been duly designated.

71. The Secretary-General believed that such arrangements would constitute a step forward in the efforts to establish more satisfactory relations between the staff and the administration.

72. Mr. JASABE (Sierra Leone) said that, within limits, freedom of expression and of association were generally recognized in any society. The question of access by staff representatives to the Fifth Committee was important, and any decision taken on it would affect the future work of the Organization.

73. In support of their request, the staff maintained in document A/C.5/34/CRP.5 that the Fifth Committee was out of touch with staff problems, although it took budgetary and administrative decisions. The staff also stated that the General Assembly was increasingly given to detailed discussion of questions affecting the staff, and no longer limited itself to expressing concern and laying down broad lines of policy. The staff had also cited precedents established by the practice of organizations such as ILO and WHO. The staff therefore requested the right of access to the Fifth Committee to speak on questions of interest to the whole Secretariat and to reply to questions, and to make the staff's point of view known to the Fifth Committee.

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(Mr. Jasabe, Sierra Leone)

74. He wondered what had become of the bodies set up to consider the staff's views and to make appropriate recommendations to the Fifth Committee. Were those organs dominated by the management to such an extent that an alternative solution was necessary, or did the existing machinery merely require further development? The Fifth Committee had recognized that it was essential for the staff to participate in determining conditions of employment if good relations between the staff and the administration were to be achieved, by designating organs such as ICSC, the Joint Inspection Unit, CCAQ, ACABQ, United Nations Joint Staff Pension Board and ACC to inform it of the staff's views.

75. In its conference room paper (A/C.5/34/CRP.6), FICSA stressed that it was not enough to have access to ICSC, since the Fifth Committee had issued guidelines on questions on which ICSC had not submitted any recommendations. That indicated that, even when the staff were not represented, the Fifth Committee did its duty. The staff should have confidence in it. In any event, at present the members of the Fifth Committee could hardly avoid echoing the staff's opinion. To accede to the staff's request would only be to grant official recognition to pressure groups. The staff's argument that they should have access to the Fifth Committee since the Chairman of ICSC took part in its work was, to say the least, surprising, for the two cases were quite distinct.

76. The General Assembly, as a legislative organ, had empowered the Secretary-General to implement the general policies which it had determined, he being responsible for their implementation. Organs had been established to deal with staff matters in order to assist the Secretary-General to perform his managerial functions. If the authority of those organs were usurped, how could the Secretary-General and the organs which supported him be held accountable? Moreover, it should be stressed that the General Assembly was different in many respects from the Governing Body of ILO.

77. The Secretary-General's recommendations contained nothing new inasmuch as his representatives took part in Fifth Committee meetings to reply to delegations' questions. In the opinion of the staff, those representatives only voiced the official point of view with no regard for the position of the staff, but the Fifth Committee should not become embroiled in a discussion of the relationships between the administration and the staff. Its main task was to ensure, by considering reports from the various bodies it had set up, that the staff was adequately provided for. Perhaps the staff's confidence needed to be bolstered.

78. He therefore proposed that, under exceptional circumstances, the staff be called upon to provide the Fifth Committee with information which would otherwise not be readily available. Nevertheless, he did not consider it appropriate to grant staff representatives the right to take part officially in the Committee's work.

79. Mr. LAHLOU (Morocco) recalled that the year before his delegation had firmly opposed any direct contact between the Fifth Committee and the staff, given the circumstances in which their request had been submitted. Noting that the conference room papers submitted by the Staff Committee and FICSA (A/C.5/34/CRP.5 and 6) were drafted in a very respectful tone, his delegation was now willing to

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(Mr. Lahlou, Morocco)

respond favourably to the request made by the Secretary-General in paragraphs 11 and 12 of his report (A/C.5/34/29). However, if the Committee allowed a staff representative to speak on staff problems, that should in no way prevent the members of the Committee from doing their duty and taking appropriate decisions. They had to determine appropriate personnel policies and could not succumb to any pressure, if, for example, they wished to modify the structure of the Secretariat in a way which would displease the staff. Access by staff representatives to the Committee should not give rise to confrontation. Moreover, it would be enough for staff representatives to inform the Committee and to trust it; it was not for them to comment on draft decisions or draft resolutions before the Committee. The matter raised the very important question of the Secretary-General's authority. He stressed that there would be no question of deciding in favour of the staff representatives if they submitted different proposals from the Secretary-General. The strengthening of the authority vested in the Secretary-General under the Charter should be emphasized. Since the Secretary-General himself had requested the Fifth Committee to hear the Staff Union representatives, it could grant that request in the interests of staff-administration relations, but the Secretary-General's responsibility for administration must not be undermined.

80. Mr. WILLIAMS (Panama) said that several delegations were holding consultations on a draft decision concerning access by staff representatives to the Fifth Committee. He invited all members of the Committee to take part. The request by the staff of the United Nations should not be rejected. It was part of a historical process - the Committee would be failing in its duty if it refused to hear the voice of the people.

81. Mr. AYADHI (Tunisia) said that his delegation always welcomed with the greatest sympathy any communication on the problems of the staff, whose services and devotion were appreciated by all.

82. In A/C.5/34/CRP.5, the Staff Committee was submitting a request on working relations by citing two ILO conventions: Convention 87 of 1948 providing for freedom of association and protection of the right to organize, and Convention 151 of 1978 on the protection of the right to organize and procedures for determining conditions of employment in the public service. With regard to the first Convention, he considered that the argument put forward was superfluous, since the staff of the Organization had complete freedom of association and enjoyed the right to organize. As for the procedure for determining conditions of employment in the public service, provisions governing national conditions could hardly be extended to international organizations such as the United Nations.

83. The Organization had effective machinery for determining conditions of employment which involved consultation with staff at the level of the Joint Advisory Committee, ICSC or the Advisory Committee on Administrative and Budgetary Questions. There was absolutely no need to speak of international conditions of work when the staff enjoyed the right to participate in the determination of conditions of employment both in technical organs and at the highest level in personnel matters, namely the Secretary-General. His delegation was greatly

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(Mr. Ayadhi, Tunisia)

surprised that an attempt was being made to circumvent the authority of the Secretary-General and to appeal directly to the General Assembly. One basic rule of administrative discipline had it that the authority appointing the staff was the sole interlocutor as regards conditions of work. Article 101 of the Charter had conferred that right exclusively on the Secretary-General.

84. The argument put forward by FICSA in document A/C.5/34/CRP.6 was proper. Nevertheless, the governing bodies of ILO or WHO should not be confused with the General Assembly - the legislative organ of the United Nations comprising sovereign States. The Assembly was, in a manner of speaking, a parliament, and there was no political system in existence in which external groups participated in the deliberations of parliament.

85. Precedents and intellectual trends had been quoted, but he wondered whether the problem was real or in the mind. If the Organization's consultation machinery was inadequate or ineffective, the short-comings should be identified and corrected, or political, legal and institutional problems were likely to arise. It was in the light of such considerations that his delegation considered the Secretary-General's recommendation to be imprecise and ill-inspired. Instead of insisting on access by staff representatives to the Fifth Committee, the existing consultation machinery should be reviewed to ensure that staff participated in determining conditions of employment in as proper a manner as possible. It was important not to confuse political with technical matters.

The meeting rose at 11.15 p.m.