



SUMMARY RECORD OF THE 59th MEETING

Chairman: Mr. BUJ-FLORES (Mexico)

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

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The meeting was called to order at 10.40 a.m.

AGENDA ITEM 98: PERSONNEL QUESTIONS (continued) (A/35/528; A/C.5/35/7, A/C.5/35/9, A/C.5/35/10, A/C.5/35/16, A/C.5/35/17, A/C.5/35/36, A/C.5/35/48; A/C.5/35/L.44 and L.49/Rev.1)

(a) COMPOSITION OF THE SECRETARIAT: REPORT OF THE SECRETARY-GENERAL (continued)

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

1. Mr. KUDRYAVTSEV (Union of Soviet Socialist Republics) praised the spirit of mutual understanding which had prevailed in the Formal Working Group; despite the significant initial divergencies in the Group, that spirit had made it possible to adopt the draft resolutions in documents A/C.5/35/L.37 and L.37/Add.1 by consensus. International co-operation of that kind should be a feature of all United Nations bodies. Of course, necessarily, the wording of a compromise solution could not be totally satisfactory to every delegation, but, generally speaking, his delegation found draft resolution A/C.5/35/L.37 to be a useful step towards ensuring that staff were recruited on the basis of the equitable geographical distribution of posts, a principle which lay at the very heart of the draft resolution.

2. He drew particular attention to paragraph 4 of part I, which should put an end to attempts to discriminate against the recruitment on fixed-term contracts of the nationals of certain States. He noted the positive trend towards proper recruitment planning, which should help the Office of Personnel Services to recruit qualified staff on fixed-term contracts from under-represented countries or from those which had still not reached the midpoint of their desirable ranges, in compliance with paragraph 2 of part I of the draft resolution. Pursuant, inter alia, to General Assembly resolution 1436 (XIV) the number of permanent contracts should be reduced and the number of fixed-term contracts increased in order to enhance the efficiency and effectiveness of the Secretariat. Not only did the practice of granting permanent contracts increase the already excessive levels of bureaucracy, but staff on such contracts were increasingly concerned with their own selfish interests, to the detriment of the tasks they were called upon to perform. They saw their jobs at the United Nations not as a means of rendering service to the most important international organization of our time, but as sinecures.

3. His delegation welcomed the intention to establish competitive methods of recruitment at the P-1 and F-2 levels, the written examinations for which could be set in any one of the official languages.

4. The other matters dealt with in the draft resolution spoke for themselves. The next important step was for the Secretariat consistently and scrupulously to implement the various provisions. He expressed the hope that the Office of Personnel Services in particular would be equal to that task.

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5. Mr. KUYAMA (Japan) said that, although his delegation had joined the consensus on the draft resolutions in documents A/C.5/35/L.37 and L.37/Add.1, it was with some reluctance that it had supported the new formula for the desirable ranges. The conflict of parity between the contribution factor and the membership factor was of particular concern. Parity should be achieved gradually, over a long period of time and, for that reason, it would have preferred the review of the new formula to take place at the forty-third session of the General Assembly at the earliest.

6. While recognizing that some progress had been made in implementing the recommendations on personnel policy reforms contained in General Assembly resolution 33/143, in areas such as vacancy bulletins, strict application of the retirement age, and non-inheritance of posts, there had been no visible progress towards the achievement of the 40 per cent target for the recruitment of unrepresented and under-represented countries, a competitive examination for external recruitment had still not been organized, and the recruitment missions had produced only limited results. His delegation therefore strongly supported the recommendations in the draft resolution referring to those three aspects.

7. With regard to the annex to the draft resolution in document A/C.5/35/L.37, he had some doubts as to whether the Secretary-General would in fact be able to comply. In any case, that was perhaps something that should be left to his own discretion.

8. Finally, his delegation supported the strengthening of the Office of Personnel Services because it was not satisfied with the Secretariat's performance in implementing the relevant recommendations of the General Assembly. It likewise supported the establishment of the committee of experts, which it hoped would put forward sensible, prudent recommendations.

9. Mr. TOMIO MONTHE (United Republic of Cameroon) welcomed the consensus which had been achieved in bringing together what had initially seemed to be diametrically opposed positions. A tribute was due to all those who had in any way participated in or assisted the Formal Working Group. If in future the Committee continued to be guided by the same sense of compromise, and the same degree of imagination and frankness, a new spirit would have been established which would make it possible to give effect to the letter of Article 101 of the Charter.

10. The various reports of the Secretary-General had shown that, despite the efforts that had been made, the representation of developing countries at the senior and policy-making levels was still very small; moreover, equitable geographical distribution at those levels needed to be considerably improved. The 88 Member States in Group A still had only 132 posts at the D-1 level and above, and the increase for nationals of the States in the Group of 77 was only 47.

11. As for desirable ranges, a political organization such as the United Nations should give due weight in the representation of Member States to reflecting the new world situation, and he hoped that, when the time came to re-examine the desirable ranges, better results could be produced.

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(Mr. Tonmo Monthe, United Republic  
of Cameroon)

12. The recruitment procedures set out in the annex to the draft resolution provided the Secretary-General with a tool with which to implement more vigorously the provisions of previous resolutions on the subject, particularly General Assembly resolution 33/143. He dared to hope that the people on whom that implementation depended would not be found wanting and disappoint the hopes of Member States.

13. His delegation hoped that the experts to be designated pursuant to the draft resolution in document A/C.5/35/L.37/Add.1 would start work rapidly to identify the problems and submit solutions to the General Assembly at its next session. The interim measures which the Secretary-General had been invited to take should contribute to improving the organizational structure from the point of view of sound administration and financial management.

14. His delegation had no objection to access by staff to the Fifth Committee. It held the view that the Secretary-General had prime responsibility for the management of the Secretariat and that his considered, favourable advice on the subject should be heeded. However, judicious use should be made of such access so that the Committee's work would not be disrupted by quarrels which ought to have been resolved by the Secretary-General through the use of existing internal machinery.

15. All the changes proposed in the draft resolution should be put into effect with determination, to take account of the aspirations of all countries and particularly of the developing countries, which had so far been in an unfavourable position in respect of the composition of the Secretariat. What was needed was not only a new spirit, but a common will to succeed. Too often, the strong attachment of various groups or interests to particular positions was motivated by selfishness.

16. Mr. BELYAEV (Byelorussian Soviet Socialist Republic) said that, as one of the founder Members of the Organization, his country had always taken a position of unswerving loyalty to the implementation of Article 101 of the Charter, which laid down very clear guidelines for the recruitment of staff and the determination of conditions of service with a view to securing the highest standards of efficiency, competence, and integrity, with due regard to the importance of recruiting staff on as wide a geographical basis as possible. Those two aspects were interdependent and, in considering any specific issue, neither one could be allowed to take priority over the other in order to further the interests of any particular group of States. His delegation actively participated in and supported every initiative designed to enhance the efficiency and competence of the Organization and its staff. However, the Secretariat could not be truly effective unless it was staffed on a broad geographical basis, in accordance with the provisions of the Charter and within the desirable range established for each Member State. Equitable representation of States with different political, economic and social systems must be ensured, without discrimination and without granting any special privileges to any one group. In recent years, a number of measures had been taken which had somewhat redressed the abnormal situation with respect to the recruitment of staff and the equitable distribution of posts among Member States. The adoption of the draft resolution in document A/C.5/35/L.37 would open up new opportunities for eliminating the existing defects noted in the Secretary-General's report (A/35/528).

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(Mr. Belyaev, Byelorussian SSR)

17. For many years, the Eastern European group of States had been under-represented or only represented at the lowest level of their desirable ranges because the majority of staff from those countries served on fixed-term contracts. That situation also applied to other under-represented States. As reported in paragraph 3 of the Secretary-General's report (A/35/528), by the end of the reporting year the Byelorussian Soviet Socialist Republic had become under-represented as a result of requests by staff from that country to return home for personal reasons, and because of delays of several months in recruiting new staff. He therefore welcomed the positive solution which was reflected in paragraph 4 of part I of the draft resolution.

18. Indeed, the draft resolution as a whole was a very well-balanced document; the balance achieved during the lengthy and difficult negotiations should be maintained in implementing its provisions. That would demand additional efforts on the part of the Office of Personnel Services and of Member States. Particular attention should be paid to implementing paragraph 1 of part I, which stressed the need to ensure that all countries achieved their desirable ranges during the coming biennium by establishing a target of 40 per cent of all vacancies in posts subject to geographical distribution for the appointment of nationals of unrepresented and under-represented countries. Part of the solution to the problem lay in a reasonable ratio between fixed-term and permanent contracts. In that respect, his delegation attached particular importance to paragraph 4 of part I of the draft resolution, and was grateful for the understanding shown by the Fifth Committee of the particular problem of the Eastern European group of States.

19. The attainment of the 25 per cent target for the employment of women in the Secretariat was likewise important, but only on condition that it did not lead to any violation of the principle of equitable geographical distribution of posts and of established desirable ranges. In implementing recruitment procedures, the cardinal principle of ensuring that all Member States were represented in the Organization on an equitable geographical basis, and at the appropriate level, should be upheld.

20. Mr. PAL (India), referring first to the question of desirable ranges, expressed his delegation's belief that Article 101, paragraph 3, of the Charter should continue to provide the basic criteria for recruitment. It could not therefore agree in principle with the system of calculating desirable ranges which made a country's scale of assessment a paramount consideration. In the first place, the scale of assessment was based on the principle of capacity to pay. All countries therefore made equal sacrifices, but the returns on personnel entitlement were unjustly unequal. Member States contributing 0.01 or 0.02 per cent of the budget could claim no posts in excess of their membership entitlement, whereas the largest contributor, which in comparison to its economic strength made no greater sacrifice, claimed a quarter of the posts. That inequity was compounded by the 15 per cent flexibility factor. Moreover, the formula also introduced a conflict alien and inimical to the Charter, namely that posts were paid for and therefore became national property. Nothing could be further removed from the original idea of the international civil service: the divided loyalties of staff on short-term appointments, the sad flouting of Article 100 of the Charter, and the working groups on desirable ranges were all an undesirable outcome of that original sin.

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(Mr. Pal, India)

21. His delegation had agreed to the formulae solely for practical purposes, since a system built up over 30 years could not be changed overnight. He hoped, however, that the measure of understanding shown by members of the Group of 77 would be appreciated by others. His delegation's agreement to a formula which not only preserved but increased the entitlements of all countries had been given in the belief and expectation that the system of contributions, like any other system built on privilege, carried within itself the seeds of its own destruction.

22. The ranges should give broad guidelines to the Secretariat; they should not be used to exclude the nationals of any country and thereby grotesquely invert a system initially devised to ensure that men and women of the highest calibre from all countries could be called on by the United Nations. The desirable ranges and the annex on recruitment were, in his view, merely tools; Article 101 should continue to be the paradigm.

23. With regard to the guidelines set out in the annex to the draft resolution in document A/C.5/35/L.37, it had been quite obvious from the debate in the Working Group that procedures for recruitment had to be refined and rationalized, much of the confusion stemming from the tension between decentralized programming and centralized management. It was necessary therefore to single out one part of the whole to see if its efficiency could be increased, but that should be an experiment, the results of which should be kept under constant review. It should never be forgotten that recruitment and personnel administration in general were but the means to providing staff of the highest calibre for the substantive departments of the United Nations. It was from that perspective that he viewed the proposals to establish the committee of experts and the related, perhaps contradictory, request for interim measures. Twelve years had elapsed since the last comprehensive review of the administrative structure, so it might be useful to take another look at the relationships between substantive programmes and central management, between centralized management and a decentralized structure, and between the reinforcement of central authority and the delegation of authority, all of which were particularly intricate in the United Nations system. It was difficult to see how the structure could be radically changed without changing the system as a whole; however, he would await the report of the committee of experts with an open mind. He wished that he could share the optimism and faith of those who believed that such complex and dense problems could be solved by the decantation of authority from one office to another.

24. Mr. BOUSHEV (Bulgaria) said that, since personnel questions were vital and controversial, personnel policy needed to be spelt out in the clearest and most precise terms possible. The Secretariat constituted an essential instrument for implementing the decisions of the General Assembly; like any other instrument, the Secretariat must be reliable and stable, and serve to solve rather than create problems. It should only rarely require repairs or adjustment.

25. The countries of Eastern Europe advocated the use of fixed-term contracts of reasonable length, since they made it possible to revitalize the Secretariat and enable it to perform the difficult tasks of the Organization in a world of change. The system of granting permanent contracts might be advantageous to certain Member

(Mr. Boushev, Bulgaria)

States and individuals but it had an adverse impact on the Organization as a whole, since it encouraged the perpetuation of obsolete or marginal activities, resulted in bureaucracy and stagnation, and reduced the number of posts which could be filled by candidates on fixed-term contracts. It would be useful if the Secretary-General would provide in his reports on the composition of the Secretariat information on the number of years during which a given post had been occupied by nationals of the same country.

26. While everyone agreed in principle that the role of women in the United Nations should be increased, the practical measures provided did not specify how vacant posts for women would be found. Draft resolution A/C.5/35/L.37 seemed to imply that the main source of posts for women was to be newly created posts. Thus, in seeking to solve one problem, the General Assembly would be creating others in terms of increased bureaucracy and additional expense. As could be seen from table D in document A/35/528, the representation of the Eastern European countries in the Secretariat had decreased by 3.2 per cent between 1976 and 1980, while the representation of all the other groups had increased. It was obvious that the Secretariat was still far from reflecting an equitable geographical distribution and one of the main reasons for that state of affairs was the system of permanent contracts. Forty-five per cent of Eastern European countries were unrepresented or under-represented, while only 18 per cent were overrepresented, the lowest figure for any regional group. Referring to table 9 in document A/35/528, he observed that the countries of Eastern Europe were, as a group, some 18.9 per cent below the midpoint of their composite desirable range, while other groups were considerably above their midpoint, thereby creating conditions of undesirable instability in the Secretariat. The tendency towards the overrepresentation of some Member States resulted in increased bureaucracy, which was the main enemy of efficiency.

27. Table B in document A/35/528 showed the alarming increase in the staff of the United Nations Secretariat and of the secretariats of other United Nations organs between 1976 and 1980. Increases in the number of staff should be kept within reasonable limits determined by increases in the Secretariat's tasks and functions. The redefinition of desirable ranges should not automatically lead to staffing increases. Some delegations saw the redefinition of desirable ranges as a means of improving the geographical composition of the Secretariat, increasing its efficiency and attaining the 25 per cent target for the employment of women in the Professional category. The actual result, however, would be to increase the number of staff and staff costs. That was clear from the fact that draft resolution A/C.5/35/L.37 envisaged the figure of 3,350 posts as the base for the recalculation of the desirable ranges, which was more than 30 per cent higher than the corresponding figure in 1977. The alternative advocated by his delegation would combine reasonable stability in the desirable ranges with a dynamic improvement in the quality, not quantity, of staff. In order to achieve that goal, greater use would have to be made of fixed-term contracts, which would make it possible for all Member States to attain their desirable ranges more speedily and for the 25 per cent target for the employment of women in the Professional category to be achieved. Such an approach was more in keeping with world economic realities.

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Draft resolution A/C.5/35/L.49/Rev.1

28. Mr. CROM (Netherlands) assured the representative of the Soviet Union that the sponsors of draft resolution A/C.5/35/L.49/Rev.1, too, considered that the legal aspects of the draft resolution were within the competence of the Sixth Committee and would, if the General Committee so decided, be allocated to that Committee at the next session.

29. The revised version of the draft resolution contained a number of editorial changes and two new preambular paragraphs, the third and the fourth, which had been added as a result of consultations. In addition, a reference had been included in the eighth preambular paragraph to the relevant international conventions.

30. Draft resolution A/C.5/35/L.49/Rev.1 was adopted without objection.

Draft resolution A/C.5/35/L.44

31. Mr. GODFREY (New Zealand) said that Portugal had joined the list of sponsors of draft resolution A/C.5/35/L.44.

32. The draft resolution had been revised many times prior to submission in order to take into account suggestions made by other delegations or to accommodate differing views on the subject of staff access to the Fifth Committee. Several of the sponsors would have preferred a less cautious text, more in line with the alternative resolution submitted at the preceding session. The sponsors had, however, endeavoured to bridge the divergent viewpoints rather than to submit a text which fully reflected their own views. They believed that, as a compromise text, the draft resolution enjoyed the support of most delegations.

33. At the preceding session the General Assembly had adopted resolution 34/220, which in essence formalized the right of the staff of the Secretariat and of FICSA to present their views in writing to the Fifth Committee in documents submitted through the Secretary-General. The Secretary-General had recommended at the current session that the measures agreed upon the preceding year should be extended to allow representatives of the staff of the United Nations Secretariat and of FICSA to present their views orally in line with the requests made by the two groups of staff in their respective papers (A/C.5/35/17 and A/C.5/35/37).

34. In the light of the deliberations of the Working Group on Personnel Questions, the sponsors had concluded that there was a readiness to consider a procedure whereby an oral presentation could be made to the Fifth Committee, provided that it was at the latter's invitation, was limited to one statement by each of the two staff representatives, and did not lead to exchanges between delegations and the staff representatives at formal meetings.

35. Paragraph 2 simply repeated what had been agreed by the General Assembly at the preceding session. Paragraph 3 embodied the proposed response to the recommendation of the Secretary-General and the requests of the staff of the United Nations Secretariat and FICSA. Stress was laid on the assistance that the



(Mr. Godfrey, New Zealand)

proposed procedure would give to the Fifth Committee and it was stated that the Committee might invite oral presentations by staff representatives, not that it should or would or must. Paragraph 4 made it clear that the arrangements for statements by staff representatives would be similar to those for observers or the representatives of non-governmental organizations. Paragraph 5 set out the procedure to be followed if questions arose as a result of the staff statements.

36. If the draft resolution was adopted, the sponsors hoped that it could be taken that invitations would be extended to the staff of the United Nations and to FICSA to present their views orally next year, unless a decision to the contrary was taken at the beginning of the next session. Whether such invitations would be issued in subsequent years would depend very much on what happened at the next session.

37. The CHAIRMAN said that the question of staff access to the Fifth Committee had been on the agenda for some time and that the positions of delegations were well known. He hoped therefore that it would be possible to avoid a lengthy substantive discussion of the matter and to take a decision expeditiously.

38. Mr. BRODODININGRAT (Indonesia) noted with satisfaction that his delegation's viewpoint had been duly taken into account in the draft resolution and said that he would be glad to support it.

39. Mr. KUDRYAVTSEV (Union of Soviet Socialist Republics) said that, in the decisions adopted so far on personnel questions, the Fifth Committee had been guided by a spirit of compromise and a desire to accommodate the interests of all parties. That was a good precedent for the future work of the Fifth Committee. The draft resolution that had just been introduced, however, dealt with a matter that was not at all urgent and with regard to which there was no consensus in the Committee. Since the session was rapidly drawing to a close, the adoption of the draft resolution would have no practical consequences and thus the question of granting further access by staff representatives to the Fifth Committee was purely hypothetical. It made no sense to take a decision on the matter at the current stage; he appealed to the sponsors not to press for a decision and to agree in a spirit of compromise to defer the matter to the thirty-sixth session. In the intervening period, consultations would be carried out among delegations on a range of issues, including staff access, and it was to be hoped that they would lead to a solution that could be adopted by consensus at the next session.

40. Mr. FALL (Senegal) said that, as the Chairman had observed, the item had been on the agenda for some time and the positions of delegations were well known. Many meetings had been devoted to the question and the draft resolution was based not only on the decision taken at the preceding session but also on the recommendations of the Secretary-General. The Committee had in fact been urged at the preceding session to defer its decision, and it was now being asked once again to defer a decision on the grounds that the matter was of only hypothetical interest. In his view, the Fifth Committee had a duty to take a decision on a matter which was of direct interest to the staff. It was not too much to ask that staff representatives should be allowed to make oral presentations in accordance with the procedure outlined in the draft resolution. The positive psychological impact would be

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(Mr. Fall, Senegal)

immense and it was in the interests of the Fifth Committee to dispel the somewhat negative image it had among the staff and to be attentive to staff concerns. While it was late in the session, the procedure proposed in the draft resolution was intended to govern access to the Fifth Committee at future sessions as well.

41. The draft resolution enjoyed broad support and its provisions were extremely flexible. Many delegations would have preferred a draft resolution which went much further and his delegation, for its part, was not pleased with certain provisions that were rather humiliating for the staff. His delegation had, however, agreed to the modified text in a spirit of compromise. It could not heed the appeal made by the Soviet representative and wished the draft resolution to be put to the vote if it could not be adopted by consensus.

42. Mr. GODFREY (New Zealand) said that the matter had been before the Fifth Committee for some time. He was confident that the sponsors of the draft resolution wished to reach a decision and could not, therefore, accede to the Soviet request. Of course, the Soviet representative could formally propose the postponement of a decision for a year, and the Committee could then vote on that proposal first.

43. Mr. KUDRYAVTSEV (Union of Soviet Socialist Republics) invoked rule 120 of the rules of procedure, under whose terms no proposal should be discussed or put to the vote at any meeting unless copies had been circulated to all delegations not later than the day preceding that meeting. The draft resolution had only just been introduced by the New Zealand representative: he needed time to consult his Government.

44. The CHAIRMAN pointed out that the draft resolution had been available to delegations since 12 December, although it had only been formally introduced at the current meeting. In his view, rule 120 did not apply.

45. Mr. KUDRYAVTSEV (Union of Soviet Socialist Republics) agreed that the date on the document was 12 December 1980, but said that he had been unable to read the text in Russian until that morning. He understood that consultations might lead to an acceptable compromise on the issue, and accordingly requested that the Committee should move on to another item.

AGENDA ITEM 91: PROGRAMME BUDGET FOR THE BIENNIUM 1980-1981 (continued)

Development and international economic co-operation: restructuring of the economic and social sectors of the United Nations system (A/35/527, A/35/546, A/35/592/Add.6; A/C.5/35/L.25 and L.43)

46. Mr. SAUNDERS (Jamaica) introduced draft resolution A/C.5/35/L.43, and announced that Chad had withdrawn from the list of sponsors. The restructuring of the economic and social sectors of the United Nations system had already been discussed in the Second Committee, which, believing that certain points were not within its competence, had referred them to the Fifth Committee. Paragraph 1 of the draft therefore endorsed the consultative arrangements envisaged by the Secretary-General

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(Mr. Saunders, Jamaica)

on policy issues pertaining to planning, programming, budgeting and evaluation; for the rest, the draft was essentially procedural and sought to bring an element of co-ordination into the consideration of the item on the restructuring exercise.

47. At the suggestion of the United States representative, and bearing in mind a point brought to their attention by the representative of India, the sponsors had agreed to revise paragraph 2 of the draft to read, in part: "Requests the Joint Inspection Unit, in establishing its work programme for implementation of the recommendation of the Committee on Programme and Co-ordination regarding a study of the impact on the Secretariat of restructuring the economic and social sectors ...". They understood that the Assembly would take appropriate action if it were informed that the Joint Inspection Unit could not accommodate the study within its work schedule for 1981.

48. The CHAIRMAN suggested that the Committee should adopt the draft resolution as orally revised.

49. It was so decided.

#### Use of experts and consultants in the United Nations

50. Mr. BEGIN (Director of the Budget Division) reminded the Committee that, in resolution 33/117, the Secretary-General had been requested to report to the thirty-fifth session on the use of experts and consultants in the United Nations. A working group on the matter had been set up and had studied the practice in various departments and services, but had discovered that the subject was a difficult one to deal with. The requirements of the different departments that used the services of experts and consultants varied widely, as did their methods and procedures for procuring such services. By the middle of the year it had become plain that it would not be possible to produce a satisfactory report in time for consideration at the thirty-fifth session, and he therefore asked the Committee to agree to a postponement of the topic until the following session.

51. The CHAIRMAN suggested that the Committee should decide to include the item on its agenda for the thirty-sixth session, and request the Secretary-General to submit a report on the matter at an early date, so as to allow the General Assembly to give priority to its consideration of the subject.

52. Mr. ABRASZEWSKI (Poland) said that, while he understood the situation described by the Director of the Budget Division, he did not understand the reasons for it. In the circumstances, the postponement of the item seemed inevitable, but he believed that the problem should have been brought to delegations' attention earlier in the session. He was consulting with other representatives, and intended to submit an appropriate proposal to the Committee.

The meeting rose at 1.05 p.m.