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at 10.30 a.m.  
New York

SUMMARY RECORD OF THE 27th MEETING

Chairman: Mr. ABRASZEWSKI (Poland)

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

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The meeting was called to order at 10.50 a.m.

AGENDA ITEM 106: ADMINISTRATIVE AND BUDGETARY CO-ORDINATION OF THE UNITED NATIONS WITH THE SPECIALIZED AGENCIES AND THE INTERNATIONAL ATOMIC ENERGY AGENCY

(a) REPORT OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS (A/37/547)

1. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee's report on the item (A/37/547) followed the format of its previous reports. Section II of the report, entitled "General observations and comparative tables", contained general observations and tables giving comparative data on agencies and the United Nations. As could be seen from tables A.1 and A.2, the regular budgets of the organizations in 1983, excluding the International Fund for Agricultural Development (IFAD), totalled \$1.6 billion, of which \$1.5 billion was to be covered by assessed contributions. In addition, Member States had made voluntary contributions to various programmes and funds totalling \$3.8 billion. The table on page 5 of the Advisory Committee's report provided a breakdown of those voluntary contributions.

2. With regard to the collection of contributions, table G illustrated the deterioration which had occurred in the situation. The executive heads of the agencies, including the Secretary-General, had on several occasions expressed their concern over that trend.

3. In resolution 36/229, the General Assembly had decided, on the recommendation of the Advisory Committee, that the latter should submit a detailed report on the budgets of the specialized agencies and IAEA only every two years beginning in 1982. Consequently, the report to be submitted in 1983 would contain mainly tabular material; the next detailed report would be submitted to the General Assembly at its thirty-ninth session.

(c) FEASIBILITY OF ESTABLISHING A SINGLE ADMINISTRATIVE TRIBUNAL: REPORT OF THE SECRETARY-GENERAL (A/C.5/37/23)

4. Mr. SZASZ (Representative of the Under-Secretary-General for Legal Affairs, the Legal Counsel) recalled that, at its thirty-third session, the General Assembly had requested the Secretary-General and his colleagues on the Administrative Committee on Co-ordination to study any differences between the jurisprudence of the International Labour Organisation (ILO) Administrative Tribunal and that of the United Nations Administrative Tribunal, and the feasibility of establishing a single administrative tribunal.

5. In his report to the General Assembly at its thirty-fourth session, the Secretary-General had indicated that there seemed to be no major differences in the jurisprudence of the two Tribunals but that the establishment of a single tribunal would involve considerable difficulties, partly because there is a need to consult all the organizations that were subject to one or both Tribunals, including about 10 organizations not belonging to the common system, and also the executive heads

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(Mr. Szasz)

and staff of those organizations. The Secretary-General had therefore felt that it would be better to seek a progressive harmonization of the statutes, rules and practices of the two Tribunals. The General Assembly had requested him to proceed accordingly.

6. The Secretary-General had therefore undertaken consultations with the International Labour Office, which provided secretariat services for the ILO Administrative Tribunal, and with the Federation of International Civil Servants' Associations (FICSA) in order to ascertain the views of the staff of the organizations concerned. At the thirty-sixth session, the Secretary-General had stated that he was not yet in a position to submit any definitive proposals and had pointed out to the General Assembly that consideration of the review procedure for administrative tribunal judgements seemed inappropriate in view of just such a proceeding pending before the International Court of Justice, in the Mortished case. The Court had rendered its advisory opinion towards the end of July 1982, too late for the Secretary-General to submit proposals in response to the criticism expressed by the Court in its advisory opinion and taking into account the wishes of the various organizations and their staff.

7. As a result, the Secretary-General was able to submit to the General Assembly only a progress report (A/C.5/37/23). Paragraph 3 of the report listed those elements of the statutes, rules and practices of the two Tribunals that lent themselves to progressive harmonization or further development. Substantive changes in the statutes or rules of the two common system Tribunals were at present the subject of consultations with the executive heads and staff of the two dozen organizations concerned. The Secretary-General expected to be able to submit proposals for improving the United Nations Administrative Tribunal at the next session of the General Assembly. He hoped that those proposals would be favourably received by ILO and that it would be possible to harmonize the work of the two Tribunals.

8. Mr. GARRIDO (Philippines) said he wondered whether it was really desirable that the two Administrative Tribunals should be empowered to render advisory opinions in the same way as the International Court of Justice, in view of the risks of divergences of opinion between the Court and the Tribunals.

9. Mr. SZASZ (Representative of the Under-Secretary-General for Legal Affairs, the Legal Counsel) replied that the United Nations Administrative Tribunal did not at present have the power to render advisory opinions. The Secretary-General, believed, however, that it would be desirable for the Tribunal to have that power, as he himself had previously sought an opinion on the reimbursement of income tax paid by United States citizens and the Tribunal had declared itself not competent. The position was the same in the case of the ILO Administrative Tribunal. However, there were marked differences of opinion among the executive heads, especially for the reasons indicated by the representative of the Philippines. In the view of the Secretary-General, empowering the Tribunal to render advisory opinions would make it possible to settle some cases without waiting and would mean that United Nations staff members were not left in a state of uncertainty for too long a time. No

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(Mr. Szasz)

decision had yet been taken on that point. The proposals to be submitted by the Secretary-General to the General Assembly at its next session would, of course, cover only those points on which the Secretary-General and his colleagues in ACC had arrived at an agreed position.

AGENDA ITEM 111: PERSONNEL QUESTIONS (continued) (A/36/407 and Add.1, A/36/432 and Add.1 and 2, A/37/143, A/37/378 and Add.1, A/37/469 and Add.1, A/37/528 and Add.1; A/C.5/37/5, A/C.5/37/6 and Corr.1, A/C.5/37/24)

10. Mr. DITZ (Austria) noted that United Nations staff representative, in his statement at the 26th meeting, had said that the Secretariat suffered from inefficiency. In the view of his delegation, while it was true that for various reasons some Secretariat units were inefficient, others performed very well the difficult tasks entrusted to them. The staff representative had gone on to say that that inefficiency was largely due to the ignorance displayed by the Fifth Committee when it took decisions on personnel questions. It was unfortunate that the representative of the United Nations staff should fail to understand that it was the duty of international civil servants to serve the peoples of the United Nations, and not to insult them.

11. His delegation nevertheless shared some of the concerns expressed by the staff representative, especially on two points, recruitment policy and career development. Where recruitment was concerned, his delegation noted with satisfaction that owing to the efforts of the Secretariat the number of Member States which were in the desirable ranges had increased considerably. It was also pleased to learn that competitive examinations for junior Professional grades had resulted in the recruitment of 30 candidates, and it thought that examinations should be held in the following year in a number of Member States which were at present unrepresented or under-represented.

12. However, as noted by the Advisory Committee in its report on budget and programme performance for the biennium 1980-1981 (A/37/7), under-expenditures under several budget sections were the result of a high number of vacancies in the organizational units concerned. The speeding up and modernization of the recruitment process was therefore of importance for the smooth working of the Organization. The introduction of modern techniques such as the computerization of the report on the status of recruitment, which was currently under way, would certainly help to remedy that shortcoming.

13. Everyone was aware that the manpower needs of the United Nations were determined by the kind of programmes which the Organization had been mandated to carry out, as specified in the proposed medium-term plan for the period 1984-1989. It seemed only logical that the medium-term plan should provide guidance for long-term recruitment planning. On the basis of growth estimates embodied in the medium-term plan, recruitment planning should be possible, at least with regard to posts financed by the regular budget.

14. His delegation agreed with the head of the Office of Personnel Services that such a recruitment plan should contain annual recruitment work plans and provide

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(Mr. Ditz, Austria)

for the systematic use of competitive examinations for posts at the P-1/P-2 level. It hoped that the Secretary-General would be able to submit before the end of the session a report on the modalities of competitive examinations for senior-post candidates. Although no recruitment plan had yet been developed in any organization of the common system, it was to be hoped that, once such a plan was in place at the United Nations, the other organizations would follow suit and apply recruitment methods which provided for verification of required qualifications. As far as his delegation was concerned, it stood ready to co-operate with the Secretariat in the drawing-up of a meaningful recruitment plan. However, experience had shown that planning was a highly complex and often difficult undertaking, and the Secretariat should therefore keep Member States informed about the progress achieved.

15. With reference to the second topic, career development, he said that no recruitment policy, however effectively implemented, would produce competent staff unless the remuneration offered was adequate. Candidates, whether seeking life-time employment with the United Nations or only a limited term of service, needed to know what their prospects were in terms of duration of employment and advancement. That could only be achieved by the establishment of a coherent system which offered young civil servants a real future. He was pleased to learn that ICSC, JIU and the Secretary-General agreed that career development formed an integral part of human resources planning, but he wondered whether there had actually been any progress in that respect.

16. In reality, a career was not possible without job security and equitable promotion opportunities at an average rate of advancement. That assumed that the Organization took the initiative for moving staff members from one position to another following predetermined career paths. Yet, according to paragraph 27 of the report (A/C.5/37/5), staff movements were as a rule initiated by the staff concerned who, according to the remarks of a senior official appearing in the Secretariat News of 16 September 1982, had to spend half their time in that endeavour at the expense of the Organization. On Staff Day, the President of the Staff Committee had stated that the prospects for career development were practically nil. The time had clearly come to implement the career development plan announced by the Assistant Secretary-General for Personnel Services without delay and in that framework first, to determine the proportion of posts to be filled by permanent appointments and fixed-term appointments; second, to determine the kind and level of qualifications which the Secretariat required to carry out its mandate, that is, to define occupational groups; third, to set limits for external recruitment for posts at levels above the entry levels and devise a workable performance appraisal system. None of that would be easy because there were different concepts of an international civil service to be reconciled. His delegation would spare no effort to help the Secretariat and hoped that Member States would be kept informed of developments in the situation.

17. Mr. HAMZA (Sudan), referring to the principle of equitable geographical distribution, said that he would like to see a speeding up of the progress described by the Assistant Secretary-General for Personnel Services, particularly

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(Mr. Hamza, Sudan)

by implementing the announced medium-term recruitment plan in accordance with the JIU recommendations. As the Chairman of JIU had said at the 26th meeting, it was not easy to apply the principle of equitable geographical distribution in all the administrative units of the Secretariat, but the obstacles were not insurmountable since WHO had succeeded in applying it without detriment to its efficiency. However, some Departments of the Secretariat would have to change their attitude and show greater willingness to co-operate.

18. There had not always been the desired flexibility in recruitment and he therefore advocated a change in recruitment policy, as recommended by the General Assembly. He agreed with the Chairman of JIU that the highest standards of competence were not incompatible with balanced geographical distribution of posts provided the responsible parties had the will to reconcile the two.

19. Mr. SAGRERA (Spain) said that he was pleased that the Secretariat had recognized not only that the quality of staff was wholly compatible with a broad geographical distribution of posts, but that it was inseparable from such a distribution. The three-year medium-term recruitment plan, which was aimed at bringing the number of staff from unrepresented and under-represented countries within the desirable range by 1985 was bound to improve the already encouraging figures on certain items. For example, in 1982 the number of Professional posts subject to geographical distribution allocated to nationals of unrepresented or under-represented countries had exceeded the 40 per cent target set by the General Assembly in resolution 35/210. On the other hand, it was to be regretted that women employed in the Secretariat still represented only 22.2 per cent of total staff instead of the 25 per cent required by the General Assembly. It should, however, be noted that the proportion of women at Headquarters exceeded 31 per cent whereas it was only 17 per cent in the other organizations of the United Nations system.

20. With special reference to Spain, he pointed out that the number of staff from that country - 219 as at 30 August 1982 - had undoubtedly increased substantially (16 more in one year), but Spain was still under-represented both qualitatively and quantitatively: according to note 3 to paragraph 8 of the Secretary-General's report (A/37/143), it had only 32 staff members as at 30 June 1982, including 8 women in posts subject to geographical distribution (compared with 25 and 7 respectively as at 30 June 1981) whereas the mid-point of its desirable range (34-46) was 40, as shown in table 9 of the report.

21. For the same category of staff, permanent appointments had increased in one year from 20 to 21, internships from 2 to 3 and fixed-term contracts from 3 to 8 so that the percentage of Spanish staff members on fixed-term contracts had risen from 12 per cent to 25 per cent (A/37/143, table 10). In addition, a new Spanish staff member had been appointed as a D-1 and another, who had been an Assistant Secretary-General had become an Under-Secretary-General. In the same period, the number of Spanish staff in posts requiring special language ability had gone from 50 (including 9 women) to 54 (including 10 women) which had more than made up for the backsliding of the previous year (A/37/143, table 14).

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(Mr. Sagrera, Spain)

22. In the final analysis, despite a few improvements, the number of Spanish staff members was still very insufficient compared to Spain's assessed contribution to the regular United Nations budget, which was 1.70 per cent. A reference to table 16 of document A/37/143 (weighted and unweighted distribution of posts subject to geographical distribution and actual staff position (in points) by region and nationality) showed that the actual position of Spain which was 1,243 points was 331 points less than the mid-point (1,574) of its desirable range. That situation would doubtless be corrected soon.

23. The Spanish delegation could not but be pleased that the Secretariat had decided to organize one of the competitive examinations for recruitment of P-1/P-2 staff in Spain in 1983. Spain could also claim P-3 and P-4 posts and inasmuch as the competitive examinations would be mostly in Spanish, the examination for moving from the General Service category to the Professional category should also be held in Spanish so as not to place staff whose mother tongue was not English at too much of a disadvantage.

24. After reading the Secretary-General's report on the implementation of personnel policy reforms (A/C.5/37/5), his delegation noted with satisfaction that since 1979 there had been a substantial reduction in the number of staff retained in service after the age of 60. It was also pleased that the Co-ordination Committee had developed job classification standards for General Service staff at Headquarters which had been approved by the International Civil Service Commission at its sixteenth session in virtue of the powers conferred upon it under article 13 of its Statute. As a result, the General Services category would now have seven, not five grades.

25. In connection with the problem of job security and immunity for officials of the United Nations, there appeared to have been no progress on the cases of imprisonment reported to the Commission: 21 staff members were now in prison, and had been, in some cases, for as long as nine years. It was inadmissible that, in some cases, the Secretary-General had been barred from visiting the prisoners. Yet those visits, together with the Secretariat reports on the subject, were still the most effective instrument which could be used against intolerable abuses of power which jeopardized human rights and the independence of the United Nations.

26. His delegation would revert to other personnel questions at the appropriate moment, but it wished to stress now the need to bring into harmony the concepts of the JIU, the International Civil Service Commission, the Administrative Committee on Co-ordination and the Secretariat itself on certain matters which called for caution and careful weighing of the merits such as the possible increase in staff salaries and the increase in the number of fixed-term contracts. At previous sessions, his delegation had spoken against the latter idea because it felt that it would block promotions and restrict the independence of international civil servants vis-à-vis their countries or origin.

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AGENDA ITEM 107: JOINT INSPECTION UNIT: REPORTS OF THE JOINT INSPECTION UNIT  
(continued) (A/37/34, A/37/103 and A/C.5/37/28)

27. Mr. WILLIAMS (Panama) said that, among the 13 reports prepared by the Joint Inspection Unit during the period covered by its annual report (A/37/34), he would like first of all to refer to those that were of particular interest to his delegation. He noted that, at the end of each of those reports, JIU had presented recommendations which were always relevant and, if carried out, would enable administrative procedures to be improved. In most cases those recommendations were put into effect even before the report was officially issued. On the other hand, some of them were ignored for years.

28. The Secretary-General accordingly explained in document A/C.5/37/28 the status of implementation of the recommendations of the eight reports submitted by JIU to the General Assembly, at its thirty-sixth session including the report on the building construction procedures of United Nations organizations (A/36/297). His delegation, which was a co-sponsor of General Assembly resolution 34/228 on the review of procedures for the award of contracts, had especially scrutinized the manner in which the JIU report had been followed up. However, it appeared from paragraph 33 of the Secretary-General's report that no specific action had been taken by the General Assembly on the inspectors' recommendation regarding the role of intergovernmental bodies.

29. As a concrete measure, his delegation proposed that the Secretary-General should be given the task of inducing the intergovernmental bodies to accept the recommendations of JIU, for the intentions of the General Assembly, as set out in the resolution already referred to, extended to the entire United Nations system and embraced the standardization of procedures for the award of contracts. That proposal could be included in one of the decisions to be taken at the thirty-seventh session.

30. Mr. KUYAMA (Japan), noting that the reports of the Joint Inspection Unit were an important intellectual contribution to the study of the efficiency of United Nations institutions, said that he wondered how they could be made more useful and would like to know how other United Nations bodies were following up the JIU reports.

31. The report of the Secretary-General on the implementation of the recommendations of the Joint Inspection Unit (A/C.5/37/28) indicated that the recommendations of JIU had been adopted and were already being implemented. That was the case, for example, in the area of evaluation, where the Secretary-General proposed to strengthen the Evaluation Unit of the Department of International Economic and Social Affairs in co-operation with the Programme Analysis and Evaluation Unit of the Department of Administration and Management. According to paragraph 18, the Evaluation Unit of the Department of International Economic and Social Affairs was encouraging and assisting programme managers to prepare the evaluation plans used in the preparation of the medium-term plan for the period 1984-1989, and the draft programme budget for 1984-1985 and to "fully integrate the evaluation process with other aspects of programming and planning". His delegation would follow that matter very closely in conjunction with the work of the Planning and Programme Evaluation Section and its newly established Central Monitoring Unit.

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(Mr. Kuyama, Japan)

32. With regard to the question of management services, his delegation noted in paragraph 31 that the roles and effectiveness of the Administrative Management Service and the Electronic Data Processing and Information Systems Division were currently being reviewed by the Under-Secretary-General for Administration and Management in order to improve administrative efficiency. It was awaiting the results of that review with interest.

33. With regard to the annual report of the Joint Inspection Unit (A/37/34), the introductory remarks of its Chairman indicated that JIU was undergoing a self-evaluation process and would review the structure of the annual report; that WIPO had become a participating organization of JIU and the International Fund for Agricultural Development (IFAD) was the only specialized agency which was not yet a participating organization; and that a number of consultations had been held during the period covered by the report between JIU and other bodies including ACABQ, ICSC and the External Auditors. That kind of co-operation should be encouraged, since all those bodies were supposed to work together and avoid duplication of effort.

34. Referring to the work programme of the Joint Inspection Unit (A/37/103), his delegation noted in paragraph 9 of the annual report of JIU that a report on UNRWA would be submitted to the General Assembly at its thirty-eighth session. He felt that that report should be submitted to the General Assembly through the existing working group on UNRWA. Furthermore, it was to be hoped that the Fifth Committee would give serious attention in the near future to the report on rules and regulations governing programme planning, the programme aspects of the budget and the evaluation procedures referred to in paragraph 10.

35. He then referred to some of the various technical reports issued during the year by JIU. The report on the use of consultants and experts in the United Nations (JIU/REP/82/8) contained a number of suggestions which could help improve the practices currently followed in a field which required serious attention in view of the amount of resources which it absorbed. It was to be hoped that the draft programme budget for the biennium 1984-1985 would fully take into account the suggestions made by JIU and the recommendations which the Advisory Committee had made in its report (A/36/7/Add.15), in which it advocated strict application of a clear differentiation between staff categories: permanent, temporary, experts, consultants ... etc.

36. The report entitled "Organization and methods for official travel" (JIU/REP/82/7) dealt with another field which absorbed substantial resources, approximately 5 per cent of the total expenditures of the United Nations system. The report of JIU seemed particularly timely, particularly since it indicated that the travel arrangements made by the United Nations were among the least advantageous. The Secretary-General would doubtless find more economical solutions and would take full account of the suggestions made by the Inspectors, particularly those concerning in-plant travel arrangements.

37. The report on the relationship between the Director-General for Development and International Economic Co-operation and entities of the United Nations

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(Mr. Kuyama, Japan)

Secretariat (JIU/REP/81/9) should be considered in light of the fact that the Director-General was being given additional functions, including the Chairmanship, in the absence of the Secretary-General, of the newly established Planning and Programme Evaluation Section, and new responsibilities concerning the management of policy issues within his mandate. In spite of the provisions of General Assembly resolution 32/197, which created the post of Director-General and the provisions of General Assembly resolution 33/202, which gave him authority in the economic and social sectors, the Inspectors indicated that the authority of the Director-General was insufficiently specified and that his role in the preparation of the draft programme budget still needed some clarification. Those were pertinent comments which would undoubtedly be given appropriate consideration.

The meeting rose at 12.35 p.m.