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ASSEMBLY**  
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*Official Records\**



**FIFTH COMMITTEE**  
66th meeting  
held on  
Thursday, 15 December 1983  
at 10.30 a.m.  
New York

**SUMMARY RECORD OF THE 66th MEETING**

Chairman: Mr. KUYAMA (Japan)

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**Distr. GENERAL**  
**A/C.5/38/SR.66**  
**19 December 1983**

**ORIGINAL: ENGLISH**

The meeting was called to order at 11 a.m.

AGENDA ITEM 109: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1984-1985 (continued)

Administrative and financial implications of draft resolution A/C.1/38/L.83/Rev.3 concerning agenda item 67 (A/C.5/38/91)

1. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that, in accordance with draft resolution A/C.1/38/L.83/Rev.1, the General Assembly would decide to establish an Ad Hoc Committee on the Implementation of the Collective Security Provisions of the Charter. On the assumption that the work of the Ad Hoc Committee would require conference-servicing only, the Secretary-General estimated related conference-servicing costs at \$363,300.

2. Mr. KHALEVINSKY (Union of Soviet Socialist Republics) said that his delegation was opposed to draft resolution A/C.1/38/L.83/Rev.3. The Security Council was already studying the question of the implementation of the collective security provisions of the Charter. The establishment of the Ad Hoc Committee, which would be superimposed on the Council, would be contrary to the provisions of the Charter and would impede the functioning of the Organization as a whole. His delegation therefore requested that any proposal by the Chairman based on the recommendations of the Advisory Committee concerning draft resolution A/C.1/38/L.83/Rev.1 should be put to a vote, and it would vote against such a proposal.

3. Mr. KELLER (United States of America) associated himself with the remarks made by the preceding speaker. His delegation would vote against the proposal on the ground that it would lead to a misuse of conference resources.

4. Mr. BROCHARD (France) and Mr. MURRAY (United Kingdom) said that they endorsed the statement made by the preceding speaker and could not support the proposal concerning draft resolution A/C.1/38/L.83/Rev.3.

5. The CHAIRMAN proposed that, on the basis of the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.1/38/L.83/Rev.3, conference-servicing requirements estimated, on a full-cost basis, at \$363,300 would arise and that the actual additional appropriations that might be required in that respect would be considered in the context of the consolidated statement of conference-servicing requirements to be submitted later in the session.

6. The proposal was adopted by 56 votes to 16, with 9 abstentions.

Programme, administrative and financial implications of draft resolution A/C.6/38/L.24 concerning agenda item 134 (A/C.5/38/97)

7. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that, in accordance with draft resolution A/C.6/38/L.24, the

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(Mr. Mselle)

General Assembly would decide that the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization should convene its next session from 2 to 27 April 1984 and would request the Secretary-General to render all assistance to the Special Committee. The Secretary-General assumed that such assistance would be in the form of conference-servicing, which was estimated at \$424,200.

8. Mr. KHALEVINSKY (Union of Soviet Socialist Republics) said that according to document A/C.5/38/97 the appropriations for the activities of the Special Committee were based on a two-year period. However, the mandate of the Special Committee had been extended for one year only. A similar situation had arisen with regard to the Ad Hoc Committee of the International Conference on Kampuchea. The Fifth Committee should therefore, follow the same procedure as in that case and recommend that the appropriations for the activities of the Special Committee should be made on a yearly basis. He asked whether the appropriations for the work of the Special Committee would be for one year or for two. Incidentally, it was regrettable to note that, despite General Assembly resolution 36/117 A, section II, paragraph 5, most reports still exceeded the limit of 32 pages. That was so in the case of the report of the Special Committee (A/38/33).

9. Mr. FORAN (Controller), replying to the question raised by the representative of the Soviet Union, said that it was impossible on the basis of programme element 2.4 of subprogramme 2 in section 26 (Legal activities) of the proposed programme budget for the biennium 1984-1985 to determine what resources would be allocated for the activities of the Special Committee for 1984. Under programme item 2.4, provision was made for the substantive servicing of meetings of a number of committees, including the Special Committee. The estimate of the conference-servicing costs in document A/C.5/38/97 was based on the assumption that the Special Committee would meet at Headquarters for four weeks in April 1984. He did not think that there was any discrepancy in approving those conference-servicing costs in the context of the biennial programme budget, rather than just for a period of one year.

10. The CHAIRMAN proposed that, on the basis of the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.6/38/L.24, conference-servicing requirements estimated, on a full-cost basis, at \$424,200 would arise and that the actual additional appropriations that might be required in that respect would be considered in the context of the consolidated statement of conference-servicing requirements to be submitted later in the session.

11. It was so decided.

12. Mr. MURRAY (United Kingdom) expressed satisfaction at the fact that document A/C.5/38/97 provided information on the programme implications of the activities of the Special Committee.

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13. Mr. TOMMO MONTHE (United Republic of Cameroon) said it was evident from paragraphs 4 and 5 of document A/C.5/38/97 that budget resources to cover the conference-servicing costs resulting from meetings of the Special Committee already existed. His delegation did not see any problem in that regard.

Administrative and financial implications of draft resolution A/C.6/38/L.5 concerning agenda item 129 (A/C.5/38/98 and Add.1)

14. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that draft resolution A/C.6/38/L.5 would have the General Assembly decide that the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries should continue its work of drafting the international convention and specified the dates of the Ad Hoc Committee's fourth session.

15. In document A/C.5/38/98, the Secretary-General estimated the conference-servicing costs to be \$359,800, on the assumption that the Ad Hoc Committee would meet in New York. That assumption resulted from the fact that the Ad Hoc Committee was a New York based body and was serviced by the Office of Legal Affairs. If, as an exception to General Assembly resolution 31/140, the Ad Hoc Committee met in Geneva, the additional amount required would be \$201,600, as was indicated in the observations submitted by the Committee on Conferences (A/C.5/38/98/Add.1, para. 8). However, if the Ad Hoc Committee met in New York, the conference-servicing costs would be absorbed.

16. Accordingly, the Fifth Committee might wish to inform the General Assembly that the adoption of draft resolution A/C.6/38/L.5 would give rise to conference-servicing costs not exceeding \$359,800, if the Ad Hoc Committee met in New York. That amount would be reflected in the consolidated statement of conference-servicing requirements.

17. Mr. KELLER (United States of America) said the observations submitted by the Committee on Conferences showed that the actual additional cost of holding the Ad Hoc Committee's session in Geneva was more than \$200,000. His delegation therefore proposed that, in its report to the General Assembly, the Fifth Committee should draw attention to paragraph 9 of document A/C.5/38/98/Add.1, which indicated that departures from the established headquarters principle expressed in General Assembly resolution 31/140 should be discouraged, and decide that the Ad Hoc Committee should meet at Headquarters so that there would be no additional cost.

18. Mr. HOUNGAVOU (Benin) said that, although his country was very much in favour of economizing and fully appreciated the observations of the Committee on Conferences, there were fundamental advantages in holding the session in Geneva. For example, many countries were nearer to Geneva than to New York, and holding the session in Geneva would therefore help to ensure larger participation while saving on travel costs.

19. The CHAIRMAN said that, if there was no objection, he would take it that the Committee adopted the United States proposal that the Ad Hoc Committee should meet at Headquarters.

20. It was so decided.

21. The CHAIRMAN proposed that, on the basis of the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.6/38/L.5, as orally revised, conference-servicing requirements estimated, on a full-cost basis, at \$359,800 would arise and that the actual additional appropriations that might be required in that respect would be considered in the context of the consolidated statement of conference-servicing requirements to be submitted later in the session.

22. It was so decided.

Administrative and financial implications of draft resolution A/C.2/38/L.96 concerning agenda item 78 (m) (A/C.5/38/95)

23. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that paragraph 23 of draft resolution A/C.2/38/L.96 would have the General Assembly request the Director-General for Development and International Economic Co-operation to continue to collaborate with the relevant bodies to ensure at the secretariat level the full mobilization and co-ordination of the United Nations system for the purpose of implementation and follow-up of the Substantial New Programme of Action for the 1980s for the Least Developed Countries. In the appropriations for the biennium 1982-1983, provision had been made for one D-1 post and one General Service post for that purpose. Those two posts had been deleted from the initial estimates, pending the Second Committee's consideration of the subject. The Secretary-General was now requesting that those two posts should be reinstated, in accordance with the provisions of draft resolution A/C.2/38/L.96.

24. The Advisory Committee accepted the amount of \$204,900 required to cover the two temporary posts. The amount of \$53,800 required under section 31 would be offset by an equal amount under income section 1.

25. The CHAIRMAN proposed that, on the basis of the recommendations of the Advisory Committee, the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.2/38/L.96, an additional appropriation of \$204,900 would be required under section 5A of the programme budget for the biennium 1984-1985 and that an additional appropriation of \$53,800 would also be required under section 31 and would be offset by an increase of the same amount under income section 1.

26. It was so decided.

27. Mr. KHALEVINSKY (Union of Soviet Socialist Republics) said that, although his delegation had agreed to the approval of the administrative and financial implications of draft resolution A/C.2/38/L.96 without a vote, the existing

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(Mr. Khalevinsky, USSR)

resources of the Office of the Director-General for Development and International Economic Co-operation were, in its opinion, sufficient to conduct the necessary activities without additional appropriations.

Travel of United Nations officials to attend sessions of the General Assembly (A/C.5/38/L.22); (A/C.5/38/CRP.8)

28. Mr. TOMASZEWSKI (Poland) said his delegation was concerned that many United Nations officials appeared to be travelling to New York at the Organization's expense to attend the thirty-eighth session of the General Assembly when their presence at the session was in fact unjustified. Bearing in mind the need to exercise the utmost restraint, his delegation had, during the debate on item 116, requested the Secretariat to prepare a conference room paper providing a breakdown and brief substantiation, as well as the costs, of official travel of staff members to Headquarters in connection with the current Assembly session. He commended the Secretariat for its expeditious preparation of document A/C.5/38/CRP.8 which contained the required information, and introduced a draft decision on the subject (A/C.5/38/L.22), which his delegation hoped the Committee would fully support.

29. Draft decision A/C.5/38/L.22 was adopted without a vote.

30. Mrs. de HEDERVARY (Belgium) said that her delegation had been pleased to join in the consensus on the draft decision. She was aware that many officials from other branches of the system regularly cited attendance at meetings of the Fifth Committee to justify their presence in New York; however, her delegation had seen very few of them at the Committee's meetings. If the Secretariat so desired, she was prepared to provide further details concerning individuals who had come to New York to attend the current session of the General Assembly.

31. Mr. LAHLOU (Morocco) said that his delegation had also been pleased to join in the consensus on the draft decision, which simply called for restraint on the part of the Secretariat and in no way compromised the Secretary-General's decision-making authority with regard to official travel of staff members.

AGENDA ITEM 117: UNITED NATIONS COMMON SYSTEM: REPORT OF THE INTERNATIONAL CIVIL SERVICE COMMISSION (continued) (A/C.5/38/L.17, L.20, L.23)

32. The CHAIRMAN recalled that at the close of the preceding meeting the Committee had been considering draft resolution A/C.5/38/L.17 and the amendments to it and had disposed of the United States amendments in document A/C.5/38/L.20. The draft decision proposed by Morocco (A/C.5/38/L.23), which was in effect an amendment to the draft resolution, had now been withdrawn by the sponsor. He therefore invited the Committee to resume the voting process on draft resolution A/C.5/38/L.17, as amended.

33. Mr. VISLYKH (Union of Soviet Socialist Republics), speaking in explanation of vote before the vote, said that his delegation had opposed several of the recommendations and decisions of the International Civil Service Commission, which

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(Mr. Vislykh, USSR)

would result in unjustified increases in the remuneration of international civil servants at a time when salaries within the United Nations system already far surpassed those of the comparator system. ICSC must desist from submitting new recommendations for increases in the various elements of the remuneration of staff members until the comparative study on remuneration in the United Nations and in the comparator civil service called for in General Assembly resolution 36/233, section III, paragraph 1 (b), had been completed.

34. Another reason for his delegation's opposition to the draft resolution was the rather unusual circumstances in which it had been prepared. Draft resolution A/C.5/38/L.17 had been virtually ignored while intensive consultations had been in progress on a number of less important draft resolutions. His delegation therefore wished to have the draft resolution put to a vote and would vote against it.

35. Mr. KAMAL (Pakistan) said that his delegation attached great importance to the work of the International Civil Service Commission in co-ordinating personnel policies within the common system. It voted against the amendments in document A/C.5/38/L.20 but could still accept the basic thrust of the draft resolution and would therefore vote in favour of it.

36. The CHAIRMAN reminded the Committee that, in accordance with the rules of procedure, sponsors of draft resolutions were not entitled to explain their votes on them.

37. MR. MÜNCH (German Democratic Republic) said that the draft resolution failed to accommodate the views expressed by many delegations during informal consultations. While his delegation and others had requested reductions in salaries which were already much higher than those of the comparator system and in the excessively large post adjustments at some duty stations, the draft resolution called for precisely the opposite.

38. In addition, the provisions of section VI, paragraph 1, of the draft resolution were inadequate; the paragraph ought to have reaffirmed that career development was not a privilege reserved for one category of staff, but should also apply to staff members holding fixed-term contracts. Moreover, career development should not affect the principle of equitable geographical distribution in any way. Finally, he rejected the provision in section VI, paragraph 6, that staff should be consulted on recruitment policy issues, since that was inconsistent with the Charter and with previous General Assembly resolutions on personnel questions which had been adopted by consensus. His delegation would therefore vote against draft resolution A/C.5/38/L.17.

39. Mr. FONTAINE ORTIZ (Cuba) expressed regret that the consultations on draft resolution A/C.5/38/L.17 had not been as extensive as in the case of other draft resolutions on which the Committee had been able to reach a consensus. His delegation had reservations with regard to a number of paragraphs of the draft resolution and would accordingly abstain from voting.

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40. Mr. RINCON (Venezuela) said that, although his delegation had voted against the two United States amendments adopted at the preceding meeting, it still found draft resolution A/C.5/35/L.17, as amended, to be balanced and acceptable. He would therefore vote in favour of it.

41. Draft resolution A/C.5/38/L.17, as amended, was adopted by 91 votes to 9, with 5 abstentions.

42. Mr. ORTEGA (Mexico) said his delegation had voted in favour of draft resolution A/C.5/38/L.17. It had voted against the United States amendments at the preceding meeting primarily because it had found the arguments advanced by the Chairman of ICSC convincing and because two of the three developing countries co-sponsoring the draft resolution had voted against them. However, the adoption of the amendments had not altered the basic thrust of the draft resolution. If the latter had been put to a vote in its original form, his delegation could have voted for it without any reservation. As matters stood, it maintained its reservations with regard to the two United States amendments which had been adopted.

43. Ms. ASHTON (Bolivia) said that her delegation had voted in favour of the draft resolution, as amended, but had reservations with regard to the first United States amendment, which it had voted against.

44. Mr. HAILE-GIORGIS (Ethiopia) said that, if his delegation had been present during the voting, it would have voted in favour of the draft resolution, as amended.

45. Mr. EL SAFTY (Egypt), recalling that the representative of Morocco had agreed to withdraw the proposal in document A/C.5/38/L.23, proposed that the Committee should recommend to the General Assembly the adoption of the following draft decision:

"The General Assembly,

"Requests the Secretary-General to consult with the organizations members of the common system of the United Nations on the proposal contained in document A/C.5/38/L.23 and to report back to the thirty-ninth session of the General Assembly."

The text of the Moroccan proposal could be annexed to the decision if necessary.

46. Mr. KUTTNER (United States of America), supported by Mr. van HELLENBERG HUBAR (Netherlands), suggested that ICSC should be involved in the process proposed by the representative of Egypt. The draft decision should include a request that the debate in the Fifth Committee on the question/should be drawn to the attention of ICSC and that the latter should report its views on the matter to the General Assembly at its thirty-ninth session.

47. The CHAIRMAN suggested that, in view of the comments made by the representatives of the United States and the Netherlands, the Committee should defer a decision until a later meeting.

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48. Mr. LAHLOU (Morocco) said that the Committee had spent far too much time on the matter already, and the United States proposal did not enjoy general support. He therefore proposed that the draft decision should be put to the vote. He would prefer that the Committee should not consider the United States proposal, but he appreciated that it would be difficult to obtain a legal opinion on a motion to that effect at short notice. If the United States representative wished to make a formal proposal to amend the Egyptian draft decision, he was prepared to see the Committee decide on it.

49. Mr. KUTTNER (United States of America) proposed that the Egyptian draft decision should be amended to read:

"The General Assembly

"Requests that the debate in the Fifth Committee on document A/C.5/38/L.23 be brought to the attention of the International Civil Service Commission, which would report on its studies on this question to the thirty-ninth session of the General Assembly."

50. Mr. LAHLOU (Morocco) said that the United States proposal was not an amendment, but rather a new proposal. It should therefore be dealt with by the Committee in its turn.

51. Mr. KUTTNER (United States of America) said that his proposal was indeed an amendment, because it entailed the deletion of the first few words of the Egyptian proposal.

52. Mrs. DORSET (Trinidad and Tobago) asked whether the Secretary-General or ICSC was empowered to amend the statute of the Commission. If ICSC was responsible for any change in its statute, the Egyptian proposal would have to be amended to take that fact into account. In addition, any proposal that the organizations belonging to the common system should be consulted would be made more complete if a reference was also included to the discussion on the matter in the Fifth Committee.

53. Mr. DUQUE (Secretary of the Committee) said article 30 of the statute of ICSC provided that the statute could be amended by the General Assembly and that amendments should be subject to the same acceptance procedure as the statute itself. The acceptance procedure was not defined in any other article. However, the statute had been submitted to the participating organizations for ratification before the Commission had been established. There was no provision for the participation of ICSC in the amendment process, but that did not necessarily preclude such participation.

54. Mrs. DORSET (Trinidad and Tobago) asked how the statute itself had originally been drawn up.

55. Mr. DUQUE (Secretary of the Committee) said that, by resolution 3042 (XXVII), the General Assembly had decided to establish in principle an International Civil Service Commission and had requested the Secretary-General, together with his

(Mr. Duque)

colleagues in the Administrative Committee on Co-ordination (ACC), to submit to it detailed proposals to that effect, including a draft statute. Pursuant to that decision, the Secretary-General had undertaken consultations in ACC and had prepared a draft statute which the Assembly had adopted in its resolution 3357 (XXIX). Subsequent to that decision, the Commission had come into being. ICSC had not participated in any way in the preparation of the statute.

56. Mrs. DORSET (Trinidad and Tobago) said that, in the light of the explanations given by the Secretary, the text of the Egyptian proposal would be improved by the inclusion of a reference to the debate in the Fifth Committee.

57. Mr. LAHLOU (Morocco) said that many delegations had been consulted on the Egyptian proposal and concessions had been made by various parties in order to arrive at a text which enjoyed general support. He did not think that the Committee could improve on the text proposed by the representative of Egypt, and he therefore urged that a decision on that proposal should be taken forthwith.

58. The CHAIRMAN suggested that, in view of the issues which remained pending, notably whether the United States proposal constituted an amendment or a separate decision, the Committee should suspend its consideration of the question and revert to it at a subsequent meeting.

59. It was so decided.

The meeting rose at 1.05 p.m.