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### UNITED NATIONS COMMON SYSTEM

#### Comments by the Federation of International Civil Servants' Associations

#### Note by the Secretary-General

The Secretary-General transmits herewith for consideration by the Fifth Committee a document submitted by the Federation of International Civil Servants' Associations (FICSA). This document has been presented pursuant to the provisions of paragraph 2 (b) of General Assembly resolution 35/213 of 17 December 1980, whereby the Assembly reiterated its readiness "to receive and consider fully the views of the staff as set out by a designated representative of the Federation of International Civil Servants' Associations in a document submitted through the Secretary-General under the agenda item entitled 'Report of the International Civil Service Commission'".

## Annex

### COMMENTS BY THE FEDERATION OF INTERNATIONAL CIVIL SERVANTS' ASSOCIATIONS

#### INTRODUCTION

1. The success of the United Nations in bringing to an end wars and resolving conflicts **is testimony** to the vital role of the **Organization** in promoting peace and progress. It is the result of persevering and able negotiations by the Secretary-General and his staff, to whom tribute is paid for their achievements.

2. These developments have greatly enhanced confidence in the effectiveness of the United **Nationo**. They have encouraged all staff in the **organizations** of the United Nations common **system** and proved right their efforts of the past years in fighting for the continued existence of multilateral co-operation, which has **come** under increasingly serious attacks from several quarters.

3. However, the constant **deterioration** in conditions **of** service has made it difficult and often impossible **for** organizations to attract and retain the highly qualified staff they need in order to render the best services to Member States. In fact, the Administrative Committee on Co-ordination (ACC) underlined recently:

"The present remuneration structure is unresponsive and outdated and must be overhauled to become competitive with bilateral and other multilateral financial and aid **agencies**"

and that the revised system

"**must** provide substantially **improved** levels of remuneration for all staff at all duty stations in terms of both base salary and the overall remuneration package".

4. The Federation of International Civil Servants' **Associations (FICSA)** believes that the serious **deterioration** in the remuneration package has **been caused** primarily **by** the failure of the International Civil Service **Commissio**n (ICSC) to fulfil its role as a technical body and to take timely and appropriate action **and** has resulted in **recruitment** and retention problems for the **organizations** and **serious morale** and motivation problems for the staff. There has been a catastrophic deterioration in the conditions of **service** of the staff and the **system** has become complicated, and **difficult** to administer and is governed **more** by exceptions to the rules than by the rules, which, in themselves, have outlived their usefulness in this fast-changing economic world.

5. **At a time** when the United Nations is being called upon to undertake greater **responsibilities** in **varied** fields in different parts of the world, it, is imperative that the **system** provide a **realistic** and logical level of **remuneration** at all locations, **to be able** to **attract** and retain high-calibre staff. In **resolution 42/221** of 21 December 1987, the **General Assembly** requested ICSC to carry out a

comprehensive review of Professional salaries and allowance and urged the **Commission** to ensure that the overall remuneration system be made both more responsive to the **needs** of **organizations** and transparent and simple to administer. Unfortunately, **the** relative inactivity of ICSC and **its** lack of action during **1987/1988** meant a loss of almost one year and no progress in addressing these issues. The Assembly, in resolution **43/226** of 21 December 1988, introduced certain parameters **for** this study, which reduced the scope of a real comprehensive review, with the result that the current comprehensive review is anything but comprehensive.

6. The work of the **organizations** is also being undermined by the non-respect of the security and **independence** of international civil servants. The non-payment of contributions by certain Member States continues to **jeopardize** the activities and the programme delivery of the organization.

# I. FUNCTIONING OF THE INTERNATIONAL CIVIL SERVICE COMMISSION

7. The FICSA decision in May 1988 to suspend participation in all activities of ICSC was the **result** of **years** of frustration and disillusionment with its **modus operandi**; the statutory consultation process had become a meaningless ritual. It **was** becoming more and more evident that political considerations, rather than technical merits, were the deciding factors in arriving at **recommendations/decisions**. The FICSA concern over the increasingly political rather than technical nature of ICSC deliberations, and its greater adherence to the letter rather than to the spirit of the consultative process, instead of finding long-lasting and technical solutions, were determining factors in that decision. Central to most of these criticisms **has** been the apparent inability of ICSC to withstand political **pressure** and to be guided by technical considerations alone. The FICSA decision to suspend participation in all activities of ICSC was accompanied by the demand that conditions of employment and service at the common-system level no longer be determined unilaterally but must be the subject of genuine negotiations. The introduction of a meaningful machinery for negotiation can only lead to a better, reinvigorated and **more** responsive common system. During 1988, FICSA brought its concerns, as also the need and desirability for **fundamental** changes in the staff-management relations, to the attention of **ACC** and the Fifth Committee (**A/C.5/43/12**, annex). A partial response to that concern was seen in resolution 43/226, section I, whereby the General Assembly invited "the Commission to make arrangements to allow for the fullest participation of **organizations** and staff representatives in all **aspects** and at **all** stages of the comprehensive review". The initial changes, introduced **reluctantly** by ICSC, did not permit "fullest participation" at all stages. However, based on changes agreed to by ICSC in March 1989, FICSA, despite **skepticism** on the part of many of its members about the adequacy of these "changes" and also the ability and willingness of ICSC to fulfil its role as an independent technical body, decided to implement its **decision** to participate in the comprehensive review but only for this **subject** and on a trial basis. Evidently, the decision was not a unanimous one. So, in the fond hope (and in the **spirit** of compromise) that its contribution would or could begin to **right** the wrongs of 14 years, FICSA decided to participate in the comprehensive review, though very reluctantly and only on a trial **basis**. Procedural

arrangements agreed upon by ICSC for FICSA **participacion** in the review have by and large been **respected**, which **constitutes** a step forward in staff-management relations.

8. However, "cosmetic" changes introduced by ICSC for the limited purpose of the comprehensive review are considered by FICSA to be totally inadequate and nowhere near those that **exist** in a number of States in the form of negotiation/collective bargaining or a **consultation** process evolving into collective bargaining **in** practice.

9. FICSA believes that, in order to defend the **rights** of the staff, fundamental changes are needed in the procedures **for** determining conditions **of** service that can be attained only through the time-honoured **system** of negotiations used by an overwhelming number of Member States (see sect. **V** below).

## II. COMPREHENSIVE REVIEW **OF** THE CONDITIONS **OF** SERVICE **OF** THE PROFESSIONAL AND HIGHER CATEGORIES

### A. Scope of the Comprehensive Review

10. FICSA **is satisfied** with **neither** the scope of the **review**, nor with **many** of the recommendations.

11. The FICSA membership expressed its strong displeasure at the limited **time** effectively available, after the General Assembly adopted resolution **43/226**, for carrying out an exercise **of** such magnitude and believes that this did not permit the conduct of an in-depth review, including testing of various proposals and options.

12. The following **issues**, **as** a result of **time** constraints, could **not** be addressed and, thus, a complete **set** of **measures** that could reverse the continuing deterioration in conditions of service of the Professional and higher categories **has** not been forthcoming:

(a) The Noblemaire principle, which is the **basis** for **establishing** the common **system's** Professional remuneration, should have been analysed and studied **in** the context **of** the geopolitical situation existing today, which might have permitted comparison by reference to the country with the highest pay levels and not necessarily the civil **service only**;

(b) The selection of the comparator, which **is** the corner-stone of any meaningful remuneration package, could not be pursued;

(c) **The** "total compensation" methodology, which permits an evaluation of the remuneration package, could not be **developed**;

(d) The structure of the remuneration scheme could not be compared with other models;

(e) Proposed methodologies and results thereof could not be tested.

13. FICSA propoases that!

(a) The Noblemaire principle be reviewed more **thoroughly**;

(b) A comparator survey, to determine which really **is** the best paid national civil service, be **commenced**;

(c) This survey be completed within a defined, acceptable time-frame)

(d) The **survey** take into account those remuneration **systems** against which the United Nations competes for qualified personnel)

(e) The total **compensation** methodology be developed and applied.

#### **B. Competitiveness of the Present United Nations Salary System and Resulting Recruitment and Retention Problems**

14. The statistical data, as well as the statements by various executive heads, have demonstrated the increasing recruitment and retention **difficulties** in all locations, at all grade levels, **in almost all** occupational groups and among candidates of many nationalities. The fact that organisations continue to **resort** to the adoption of "exceptional" measures and **increasing** numbers of Member States continue to make "supplementary" payments, **are** additional indicators of the seriousness of these problems. **As** an example, the United Nations organisations continue to have very serious recruitment and retention problems at all locations, particularly so in field duty stations. It **is** a matter of record that the United Nations has problems in finding, hiring, keeping and motivating the type **of** qualified work-force it needs to implement its current and future **programmes**.

15. The United **Nations system** is no longer **able** to attract nationals of all countries, with **the** result that after a lapse of time some nationalities might well **become** a rarity **in** the United Nations system.

16. The United Nations remuneration package **has** ceased to be **competitive** to the extent that the United Nations **system** is losing its qualified and **experienced** personnel to other international public employers.

17. While it is true that no single measure can redress this **problem**, the recommendation found in the ICSC report **is** for an across-the board increase of **5 per cent** **is** not realistic, given the deteriorating effect that economic conditions have had on salaries since 1975. **Its inadequacy** is supported by the following;

(a) There has been no increase in the **salaries** of Professional and higher categories in real terms since 1975;

(b) There has been a continuous erosion in the purchasing power **of** the staff. The amount of erosion varies from **8** to 35 per cent depending upon the duty station, which has caused hardship and morale problems to serving staff;

(c) The United Nations remuneration package is **compared** with the politically depressed level of the United States civil service salaries, which, as of today, are 28.65 per cent **lower** than they should have **been** in terms **of** the recommendations of the Pay Agent under the United States Pay Comparability **Act** of 1970;

(d) **Lack** of competitiveness with other public organisations;

(e) Dangerously low staff morale;

(f) Management difficulties in **timely** delivery of work programmes caused by difficulties and inability to recruit qualified **staff**;

(g) Serious "brain and experience drain" of qualified staff.

18. FICSA therefore proposes that:

(a) An **immediate** across-the-board increase of **10** per cent be granted, to be followed by continuing yearly **across-the-board increases**, until the competitive level of such take-home pay is restored which, as of today, calls **for** an increase up to 25 per **cent**;

(b) Once the **common system** of remuneration regains its competitive edge, regular **monitoring** will be essential to keep it from *falling again* to the present unacceptable levels.

It should be mentioned here that the proposal **for** an "across-the-board **increase**" is a corrective action triggered by the margin **falling** to 108.3. On 1 January 1990 the level of the margin will be below 110 which **is** the minimum of the range (110-120). **b/**

### **C. Matters relating to the Margin**

19. The existing margin range of 110-120 was established on **information** pertaining to a period when there was virtually no gap between the actual salaries of United States federal civil service salaries **and** those recommended under the Pay Comparability Act of 1970.

20. The current gap of 28.6 per cent between United States federal civil service pay and those warranted under the Pay Comparability Act of 1970 renders all conclusions, by reference to a range of 110-120, invalid. The proposal to exclude bonuses and performance awards from comparisons is another example of ignoring realities, since in all cases, these awards are taxable and, **in most** instances, pensionable. They cover an increasingly large number of staff in comparable grades within the United States civil service.

21. FICSA supports the following recommendations of ICSC:

(a) Comparisons to be based on the net **remuneration** of United Nations officials in grades P-1 to D-2 in **New York** and **that** of their **counterparts** in the comparator civil service in Washington;

(b) The coat-of-living differential between New York and Washington, based on the post adjustment indices ~~for~~ the two cities, should continue to be taken into account. **A 12-month** average of the amount of the New York/Washington coat-of-living differential should be applied in margin calculations, rather than the spot measurement currently **taken;**

(c) Average salaries at each grade should be used on both sides of the comparison;

(d) The margin reference period should be changed to the calendar year;

(e) The margin should be allowed to fluctuate freely within the range;

(f) The cumulative margin procedure approved by the **General Assembly** at its forty-third session should be discontinued;

(g) The four-month waiting period between the granting of **successive** classes of post adjustment ~~for~~ New York approved ~~by~~ the General Assembly at its forty-third session should cease.

## **22. FICSA proposes that:**

(a) There should be two margins: (i) a margin for the level of salary according to the Pay Comparability **Act;** plus (ii) a margin for the expatriate factor. The former would represent the difference between the existing level and the desirable level of United States civil service salaries, while the second margin, which would be applied subsequently ~~for~~ the expatriation factor and **lack of** career prospects and job security, ought to be redefined **from 120 to 1303**

(b) Bonuses and performance awards be included in the calculations used in the comparator service when applying the Noblemaire principle.

## **D. Remuneration structure**

**23.** No single area of the **comprehensive** review has proved to be a tougher nut to crack than the **question** of remuneration structures. In response to the request of the General Assembly to consider the possibility, inter alia, of dividing the pay package into its **major** component parts, one of which would be housing, reflecting the spending patterns of staff, both the Commission and its Working Groups rigorously examined the structural aspects **of** the current remuneration **system**. A **number** of alternative approaches to the current remuneration structure were considered.

**24.** FICSA had hoped that a structure could be identified that represented a change from the current **system**, a fresh approach and a new angle. Perhaps what had appeared at the outset as structural defects was nothing **more** than the wear and tear of misuse. FICSA does not think it **is worth** while to introduce change for change's sake alone. It has noted that ICSC will be looking into this issue in 1990. FICSA believes that any salary structure should be easy to understand,

transparently simple to administer and free from any possibility of tinkering, A salary structure should not result in the creation of additional complexities. Last, but not least, it should not have a potentially adverse impact on other salary components, such as pensions.

#### **E. The post adjustment system**

**25.** The post adjustment system was created in 1956 for the equalization of purchasing power among duty stations. In those days, when the majority of staff worked at Headquarters, differences in post adjustment classifications among duty stations were relatively small, inflation was low and monetary instability did not exist. However, the subsequent breakdown of the fixed exchange rate system and the emergence of associated high inflation in the early 1970s put special pressure on the post adjustment system. The need to cope with a wider absolute diversity of economic conditions and greater rates of change over time led first to the elaboration and refinement of the system and later to various forms of patching to modify the operation of the system.

**26.** There is a strong need for improvement in the operation of the post adjustment system, including the separation of the effects of inflation and currency fluctuations and a simpler and more accurate reflection of differences in cost of living between the base of the system and field duty stations, and also the need for simplification, elimination of negative post adjustment and streamlining the cost-of-living survey and computation process.

**27.** The recommendations covering the post adjustment system might make it less complicated and perhaps a little more transparent. But FICSA has its own doubts as to whether measures proposed for avoiding fluctuations in take-home pay arising from currency fluctuations are enough to avoid unacceptable fluctuations in take-home pay. Most important is the non-adjustment for cost of living of the pension contribution, which will reintroduce an element of regressivity which FICSA has fought so hard to eliminate. Additionally, FICSA would have preferred setting the out-of-area weight lower than 10 per cent for hard currency duty stations.

**28.** It is also noted that the Professional salary floor is proposed to be established on the basis of comparator's emolument of employees based in Washington. Since the base of the United Nations system is New York and not Washington, the base salary should be set by reference to its base, i.e., New York.

#### **F. Mobility and hardship**

**29.** FICSA is appreciative of the high priority given by members of the Working Group and ICSC to the particular problems facing staff at field duty stations. All members of the Group were acutely aware of and sympathetic to the difficult situation in the field. Hence the conclusions relating to mobility and hardship and the proposed package on improvements are steps in the right direction. However, FICSA is not very comfortable with the proposal to eliminate the 12-month home-leave waiting period and would have preferred its amalgamation with a 12-month



home-leave cycle. Despite the **fact** that the field staff of the comparator will continue to enjoy an edge over Headquarters staff, FICSA fully supports and firmly endorses the mobility and hardship package.

30. FICSA proposes that duty stations with a home-leave cycle of 18 months be amalgamated with a **12-month** home-leave cycle.

#### G. Motivation, productivity and allowances

31. FICSA views on this subject are clearly and amply reflected in the report of ICSC. **g/ However**, two of the recommendations of the Working Group, which were very logical ones and which could not gather sufficient support from ICSC, **are:**

(a) Introduction of end-of-service grants for staff members who continue to serve on fixed-term contracts for nine years or **more**;

(b) Extension of education grant provisions to provide limited coverage for the dependent children of such staff members who return to their home country; ideally, the education grant provision could be extended to all staff subject to mobility.

FICSA hopes that these will be favourably acted upon in the future.

### III. PENSION

32. Problems concerning the actuarial imbalance of the United Nations Joint Staff Pension Fund (UNJSPF) and controversies surrounding the **pensionable** remuneration of staff, both for staff in the General Service category **and** those in the Professional and higher categories, have received considerable attention for many years.

#### Actuarial imbalance

33. The primary purpose of correcting the actuarial imbalance is to have a stable and financially sound Fund which can ensure continued payments of pensions to staff after retirement. **No one can quarrel** with the principle of ensuring soundness of the **Fund**, although there can be varying opinions and ideas for achieving this. It is a truism that staff in the past have borne the main impact of past measures, and staff members are reluctant to accept additional sacrifices. A "package deal" has been arrived at in the United Nations Joint Staff Pension Board (UNJSPB) for correcting the actuarial imbalance of UNJSPF.

34. It is imperative that the **recommendations** be approved as a package, and in so doing lay to rest once and for all the **specter** of "actuarial deficit". FICSA wishes to address itself to that part of the pension package calling for an increase in the retirement age of staff who will join the United Nations in January 1990. FICSA is well aware of the reluctance of certain Fifth Committee members in the past to accept a change in the retirement age for reasons that can

be considered sound. However these reasons can no longer be used as valid arguments when the change will apply only to "new staff". After all 62 is young in today's world and the experience and knowledge of a staff member for the United Nations system should be capitalized upon. For new staff the extra two years will benefit in the long term the Organization and in so doing the Government for which these services are being rendered.

35. FICSA is deeply concerned at the selective intolerable ad hoc expedients that are being recommended for correcting a perceived imbalance in the pensionable remuneration of the United Nations staff in the Professional and higher categories vis-à-vis those of the comparator civil service. These measures are not only "ad hoc" but inconsistent with the principle of the income replacement ratio approved by the General Assembly. The proposal to introduce the element of "margin" considerations, a concept that was explicitly rejected by the Assembly, can run counter to and undermine the income-replacement principle laid down by the Assembly. Moreover, coming at a time when UNJSPB and ICSC are scheduled to undertake jointly a comprehensive review of the pensionable remuneration of the staff in the Professional and higher categories, such a proposal is not only incompatible with sound personnel and financial management policies but can create distortions and inequities for the joint review. FICSA insists that the principle approved, after much thought and considerable discussions, by the Assembly continue to be maintained until the time that the results of the joint review are known, debated and adopted.

36. Pensionable remuneration and pension benefits of General Service staff in some duty stations where the local currency is strong vis-à-vis the dollar have come under serious attack in the Pension Board.

37. The UNJSPB report d/ contains possible "solutions" to the so-called "overlap" problems in the pensionable remuneration of the General Service staff and those of the Professional staff. This overlap is primarily due to two factors:

(a) Depreciation in the value of the dollar at those duty stations where pensionable remuneration is under review;

(b) Substantial reductions made in the past in the pensionable remuneration of Professional staff.

38. While some abnormal interest is being shown on the so-called "overlap" problems, practically no attention is being paid to pensionable remuneration of General Service staff in those duty stations where local currencies are weak, inflation is high and salaries are relatively low. Is it the intention of UNJSPB and ICSC to put some sort of artificial ceiling? Do these bodies wish to do the same in utter disregard of the prevailing different methodologies for the two categories of staff? When these two bodies talk of "artificial ceilings", do they ever think in terms of realistic minimum floor levels as well, which would permit a pensioner to be able to live and survive decently after retirement? Decision 8 on such issues should not be taken in isolation.

39. FICSA proposes that:

(a) Recommendations for correcting the **actuarial** imbalance be approved **as a package**;

(b) Pending the convocation of a working group to establish the ground rules **for** a negotiating body of representatives **of** the staff on the one hand, and on the other a partner empowered by the Member **States** to negotiate conditions **of** service, and the actual **establishment** of such **a** negotiating body (see sect. V below), the proposed comprehensive review of pensionable remuneration of all categories of staff be postponed until such a time as the staff is convinced that such an exercise will be conducted **impartially**, objectively and with the **etnff** as a full negotiating partner.

#### IV. SECURITY AND INDEPENDENCE OF THE **INTERNATIONAL** CIVIL SERVICE

40. To safeguard the independence and security **of** the international civil service **is one of the foremost** tasks of **Member States** and executive heads. The existence **of** the international organizations hinges **on** these fundamental principles. FICSA is deeply concerned about the increasingly frequent violations of the security and independence of United Nations system staff. Just as it remains committed to the independence of a civil service which functions without interference, and which owes its primary loyalty to the United Nations and its principles, it is **more** than ever concerned for the hundredr of staff **members** around **the** world whose security **has** been violated by illegal arrest, **detention** or disappearance. Many of our **colleagues** have lost their lives **in** the service of the international community. Many have been kidnapped while they were in active service and tortured. Others are separated from their families or **prevented** from returning to their posts.

41. Many, if not all, might have watched on television the gruesome video tape showing the body of Col. William Higgins, killed by those who abducted him in the Middle East, where he **was serving** as a United Nations observer **while** wearing the **blue helmet** of the United Nations, the international symbol of peace. His abduction, his captivity, his ill-treatment and finally his **gruesome** murder received the attention it deserved but there are hundreds of staff members around tho world whose security has been violated **by** illegal arrest, detention or disappearance, and whose plight goes unnoticed.

42. **As international** civil servants, United **Nations** staff have to **work** under the **most** difficult, **trying** and unbearable **conditions** of work, not only for the **peace-keeping and peace-making** activities of the United Nations but also for economic **advancement**, **removal** of poverty, removal of illiteracy, tho eradication of epidemics and hunger and overpopulation, the provision of adequate drinking water, sanitation facilities, protection against **nuclear** disaster-, etc.

43. FICSA **realizes** that, in **many cases**, the **staff** takes risks. However, they **must** be able to do so in the full knowledge and hope that their security and honour are supported by the Secretary-General and **member Governments**.

44. FICSA appreciates the report submitted each year by the Secretary-General to the General Assembly which provides information on cases of arrest and detention. The report should also give details on the state of each case and the solution found. In view of the fundamental principles involved, such reports should never become a matter of routine. Determined action on the part of all concerned is necessary in order to stop any attempt to undermine the role and credibility of the United Nations system.

45. FICSA requests the Secretary-General to act, with all the authority that international law confers upon him, to ensure that the fundamental rights of international civil servants are respected and to ensure justice for those who continue to be detained, imprisoned or not allowed to leave their countries.

46. FICSA proposes that the Fifth Committee prepare a draft resolution for adoption by the General Assembly, containing the following elements:

(a) An appeal to Member States to respect the privileges and immunities of United Nations system staff and their families and to ensure the full enjoyment of their human rights;

(b) A request to those Member States where staff members or their families are at present imprisoned, detained, missing or prevented from leaving the country to respect the rights of those officials and their families as well as the rights of the organizations;

(c) A request that Member States be informed of the decision of ACC that, in future, the Secretary-General of the United Nations may request heads of organizations concerned to suspend all operations, other than those of a purely humanitarian nature, in those countries which have arrested or detained a staff member of the United Nations system in clear violation of his/her privileges and immunities and in disrespect of the employing organization's rights and obligations vis-à-vis the staff member. Missions should be cancelled until the case is resolved:

(d) A request that the organizations should suspend recruitment of nationals and procurement of supplies, equipment, contractual services, etc., from Member States that violate the fundamental principles of the Charter of the United Nations and the human rights of international civil servants.

## V. RR-ESTABLISHING A CLIMATE OF CONFIDENCE THROUGH NEGOTIATIONS

47. For several years, FICSA has been demanding that conditions of service and employment should cease to be determined unilaterally and that they should be the subject of genuine and real negotiations.

48. If the practice of negotiation has been adopted by many countries for their own public servants, it is not simply because the right to negotiate conditions of employment is regarded as a basic right of all workers. It is also because negotiation has proved to be the most efficient method for employers and employees

to resolve their differences. The failure of the United Nations **system to** engage in a meaningful dialogue with its own staff is undoubtedly having a strong adverse **effect** on staff **morale and is** not conducive to efficiency. **At the same time**, the conditions of service **as** determined under the present unilateral arrangements are proving **inadequate** to attract and retain the highly qualified expertise which the organiaatione require **for** the execution **of** their programmea. Negotiation of **terms** and conditions of service, as proposed by FICSA, can **make a** potentially important **contribution to** enhancing the effectiveness of international co-operation.

49. Experience with the manner in which recommendationa made in tripartite working groups are **changed** or thrown out for reasons other than technical ones, has convinced FICSA about the futility of the current "consultation" process **and** necessity for the establishment of **a** joint body for conducting negotiations,

50. **A** structure must be found that provides an appropriate mechanism to analyso and determine conditions of **service**. It is essential to re-eatablish an atmosphere of confidence and ensure the efficient functioning of the system.

51. At the present stage, FICSA can only make preliminary proposals on the modalities of negotiation since these will **emerge** progressively from discussions:

(a) **A** negotiating body, composed **of** equal numbers of staff and employer representatives, should be responsible for arriving at agreements on policies and principles at the common **system level**;

(b) All partners involved should be formally consulted before any decision is taken on the **topics** under consideration and should agree on the way in which subject-matters of common interest should be tackled;

(c) When negotiating any subject of interest to staff, all the representatives should be equal partners and form a joint body;

(d) Each session **of** the joint body should result in a protocol signed by **both** parties, reflecting either the agreement reached or both viaws. **In** the latter case, both parties should append to the protocol such statement? as are deemed useful;

(e) The joint body should transmit the above-mentioned **protoc ,l** to the General Assembly for final approval on the **matters** under consideration. When the Assembly consider8 the protocol, both parties should be present during both formal and informal discussions.

52. The process described above would clearly satisfy long-standing **demand** of FICSA that conditions of **service** and employment be truly negotiated at **the** competent **technical** level. It would not prejudice the right of joint body members to **undertake** all **necessary** consultations among themselves but would ensure that such private consultations do not hamper the joint negotiation process. Furthermore, it would not question the **prerog iives** of the **General** Assembly, since final approval would still remain with it.

53. FICSA requests the establishment of a working group with the sole objective of determining the terms of reference and working methods which could lead to the formation of a negotiating body, thereby resulting in full and effective staff participation.

54. While the United Nations common system is unique, it is not such as to bar negotiations. The legislation and experience of Member States that have introduced negotiations in the public service can certainly serve as a guide for overcoming problems which may arise initially.

#### VI. SUPPLEMENTARY PAYMENTS

55. FICSA wishes to raise once again the issue of supplementary payments, a subject that has escaped solution for too long and which, to say the least, is demoralizing and demotivating to staff. It should not be overlooked that:

(a) Such payments, in whatever form they are made, undermine the independence of the international civil service which is the basis of its very existence;

(b) Such payments are a clear indictment of the inadequacy of the remuneration package; the fact that the practice of supplementary payments has been growing over the past years is further proof;

(c) The very same Member States that criticize the level of salaries in the United Nations system have to provide incentives to their nationals for employment in international organizations.

56. Apart from raising ethical and moral problems, this practice has deep-rooted legal implications, not only for the provider but for the recipient as well. There is no doubt in our mind that this practice has a corrupting influence. The abusive nature of such practices could well destroy the concept of the international civil servant owing allegiance only to the executive head and receiving instructions from no other source.

57. The practice of supplementary salary payments, which goes hand in hand with the deterioration of service, the proliferation of different types of contracts, the increasingly frequent use of services provided directly by Member States, as well as other unorthodox practices, needs to be stopped before the independence of the international civil service is completely compromised.

58. In the view of FICSA, the ultimate solution to the problem can only be to provide a remuneration package that, in all duty stations, is such as to attract nationals of all Member States.

Notes

a/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 30 (A/44/30), vol. II, para. 125.

b/ Ibid., para. 109.

c/ Ibid., paras. 340, 341 and 370-373.

d/ Ibid., Supplement No. 9 (A/44/9).

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