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PERSONNEL QUESTIONS

Report of the Fifth Committee

Rapporteur: Mr. David SILVEIRA da MOTA (Brazil)

(a) Composition of the Secretariat

1. The Fifth Committee considered the sub-item on the composition of the Secretariat at its 1151st to 1156th, 1158th and 1159th meetings, held between 21 November and 2 December 1966.
2. The Committee had before it the report (A/6487 and Corr.1) of the Secretary-General on the composition of the Secretariat as well as the customary annual report (A/C.5/L.872) listing all staff members by organizational unit, title, nationality and level.

Report of the Secretary-General

3. In his report on the composition of the Secretariat, the Secretary-General reviewed the progress made during the year 1 September 1965 to 31 August 1966 in the recruitment of staff on as wide a geographical basis as possible. The number of nationalities in the Secretariat had grown from 107 to 112, including 108 of Member States and 4 of non-Member States which were members of certain subsidiary organs of the United Nations. In terms of regional distribution of the staff, all but one of the seven regions established for the purpose of recruitment policy had

come within reasonable proximity of their desirable ranges which were determined under the principles laid down in General Assembly resolution 1852 (XVII). Even in the region which was still below its range (Eastern Europe), there had been a marked advance in the number of staff members from several countries. At the senior levels of the staff, however, all regions had a rather more balanced participation resulting from the continuing efforts towards selective recruitment from under-represented regions.

4. In so far as composition of the staff by type of appointment was concerned, the Secretary-General reported that the prevailing conditions of recruitment had brought about a slight increase in the proportion of staff on fixed-term appointments. At the end of the year under review, that proportion was 29.7 per cent, as against 28.1 a year earlier. Two significant developments were, however, beginning to offset the wastage inherent in short-term service: (a) a progressive lengthening of the initial term of appointment and a greater acceptance of extensions for additional terms, and (b) a decrease both in the number and proportion of resignations among staff holding fixed-term appointments. In this connexion, the Secretary-General reiterated his belief that he had no reason to change the provisional target of 25 per cent which he had suggested as a desirable proportion of staff on fixed-term appointments for the immediate future.

5. Recalling that the system of desirable ranges of posts allocated for each country and region had now been in operation for almost four years, the Secretary-General indicated his intention to review certain aspects of the system in his report for the twenty-second session of the General Assembly.

Discussion

6. During the debate on the Secretary-General's report, it was generally recognized that the report reflected creditable advances towards achieving the objectives set out in General Assembly resolution 1852 (XVII). A number of representatives suggested that, in view of the results already achieved, the Secretary-General should be relied upon to complete successfully the task in which he was making substantial progress. Other representatives expressed the view that, while improvements in the composition of the Secretariat had clearly taken place,

much remained to be done. The work of the Secretary-General in this regard would be facilitated if the General Assembly, in the discharge of its responsibility to establish regulations for the appointment of the staff, gave it the desired direction.

7. Much of the discussion centred on the following issues: (a) greater use of fixed-term appointments as a means of accelerating the participation of nationals from inadequately represented countries and in particular developing countries in the Secretariat; (b) introduction of a linguistic factor into the guidelines for recruitment policy in order to ensure a better balance between the working languages of the Organization; and (c) refinement of the system of desirable ranges of posts by the addition of a qualitative factor to take account not only of the number of posts allocated for each country but also of the levels of the posts.

(a) Appointment policy

8. In favouring greater use of fixed-term appointments, several representatives emphasized that such a measure was dictated by existing circumstances which were temporary in nature. An appreciable number of developing countries remained inadequately "represented" on the staff of the Secretariat. Furthermore, some of these countries continued to experience difficulty in releasing their nationals for indefinite service with the United Nations. An increase in the number of appointments granted on a fixed-term basis might therefore contribute towards correcting the imbalances that persisted in the composition of the Secretariat.

9. While supporting such an increase as a temporary measure, a number of representatives reiterated their view that permanent appointments impeded progress towards a Secretariat fully international both in composition and outlook and were inconsistent with efficient operation. Noting that fixed-term appointments were already being granted for longer periods than in previous years, they suggested that appointments of this type be granted for five or even ten years, and thus come closer to permanent appointments without however involving life-long service which at present must be regarded as a barrier to the influx of fresh talent and ideas. In the view of other representatives, fixed-term appointments had their place in the Secretariat, whether for the execution of certain programmes or to

provide "representation" for developing countries. There were, however, compelling considerations of independence, experience and continuity which required that the Secretariat should consist largely of persons appointed on a permanent basis.

11. The representative of the Secretary-General observed in this connexion that the present proportion of staff holding fixed-term appointments (29.7 per cent) tended to obscure the day-to-day processes of recruitment. Since the new system of desirable ranges had been introduced, the annual percentage of fixed-term appointments had ranged from 83.5 per cent in 1963 to 67.1 per cent in 1966. That showed how rarely career appointments had been offered in the past four years of concentrated efforts to improve the composition of the Secretariat. Moreover, for the level D-1 and above, every one of the forty-two appointments made in that period had been on a fixed-term basis.

(b) Linguistic requirements

12. Several representatives expressed concern at the apparent differentiation practised by the Secretariat in its recruitment policy as between French-speaking and English-speaking candidates. French-speaking candidates were often rejected on the ground that they did not have a sufficient knowledge of English, but a knowledge of French was not a requirement for English-speaking candidates. In addition, although French was a working language of the Organization, French-speaking staff members were judged on the quality of their work in another language. Palliatives such as accelerated English courses merely illustrated the discrimination against the French language in the Secretariat. It was therefore time for the Secretariat to improve its recruitment practices so as to reflect more accurately the various cultures of the present membership of the United Nations. A study should accordingly be made of the problems involved with a view to satisfying the legitimate desire of Member States for adequate representation while simultaneously ensuring the continued efficiency of the Secretariat.

13. A number of representatives voiced misgivings at the introduction of the language element into the discussion of recruitment policy. By raising the matter in the form of a contest between French-speaking and English-speaking countries in Africa, the cause of African unity might be affected since the issue could accentuate the division of the continent along linguistic lines. At the same time, it was recognized that French-speaking countries in Africa had grounds for complaining about their "under-representation" in the Secretariat. It was suggested, however, that such claims could be met under existing guidelines.

14. In his comments on this question, the representative of the Secretary-General explained that in the recruitment of candidates for service in the Secretariat preference was given to those who could work easily in both English and French. Present circumstances of supply and demand made it however impracticable to regard bilinguality as an absolute minimum requirement, especially in certain professional occupations where there was a world shortage of qualified personnel. It was also necessary to decide, within the context of the work to be undertaken, which of the two languages was preferable. In this respect, it was relevant to bear in mind that documentation in English was requested by most Member Governments. Account must also be taken of the fact that many candidates came from non-English and non-French-speaking countries and could therefore not be expected to have, in addition to their mother tongue, a good knowledge in more than one of the working languages of the Organization. It was in recognition of those facts that training programmes were provided in the Secretariat so that most if not all staff members might become bilingual.

15. The issue of linguistic requirements was discussed further in the context of draft resolution A/C.5/L.883, the first preambular paragraph of which referred to rule 51 of the rules of procedure of the General Assembly. The representative of the Secretary-General drew attention to the fact that under existing provisions the working languages of the United Nations were English and French, with the exception of the General Assembly and the Economic and Social Council, whose working languages were English, French and Spanish. He therefore wished to have a clarification as to whether the intent of the draft resolution was to cover all three languages of the rule. The sponsors of the draft resolution explained that its purpose was to ensure that the rule, under which English, French and Spanish

were laid down as "the working languages", was applied in the day-to-day work of the Organization. It was not their intention to establish a hierarchy among those languages.

16. Several representatives observed that any restrictive interpretation of the term "working languages" would, in their view, not be consistent with the provisions of General Assembly resolution 247 (III) and rule 51 of the rules of procedure of the General Assembly. They indicated that they would support the draft resolution on the understanding, as explained by the sponsors, that the proposal referred to the use of the three languages, namely, English, French and Spanish.

(c) Review of the desirable ranges

17. The disparity in the distribution of the staff occupying senior posts in the Secretariat and, more particularly, the "over-representation" of a few countries within an otherwise adequately "represented" region, were the subject of considerable debate. Some representatives noted that the present system, under which the desirable ranges of posts were established on a numerical basis without taking into account the level of the posts, produced a misleading picture. It was clearly unreasonable to equate posts involving duties and responsibilities of a policy-making nature with those at the junior levels. Among the modifications that might be considered, it was suggested that a senior post should count as the equivalent of one or more professional posts. Another suggestion was to allot points for each level, starting with one point for a P-1 and rising to six or seven points for an Under-Secretary. A third view favoured allotting twice as many points for an Under-Secretary as for a P-4. Underlying all these proposals was the belief that if equitable geographical distribution was to be achieved, the system of determining desirable ranges of posts for individual countries should be reviewed so as to take into account both the number and the level of posts.

18. Several representatives questioned the usefulness and desirability of undertaking such a review. The task of the Secretary-General could only be made more difficult if a new element of rigidity were introduced into the system of desirable ranges.

19. The representative of the Secretary-General recalled that the possibility of a "points system" in recruitment had been examined in 1962 and the conclusion had then been reached that there was no advantage in introducing that further complication. The situation had not changed appreciably in the interval. The fact was that, despite the difficulties arising from the availability of a rather limited number of senior posts, a somewhat better balance had been produced in the composition of the staff at the higher levels than for the total range of professional posts by the use of the Secretary-General's discretion. This did not, however, prevent a further examination of a points system on the occasion of the review of the desirable ranges to be undertaken before the twenty-second session.

Proposals and amendments

20. At the 1152nd meeting, Cameroon, Hungary and Iran submitted a draft resolution (A/C.5/L.879), which read as follows:

"The General Assembly,

"Bearing in mind the considerable changes which have occurred in the membership of the United Nations and the specialized agencies,

"Recalling the provisions of the Charter which require, in order to give the Secretariat a genuinely international character, that 'due regard shall be paid to the importance of recruiting staff on as wide a geographical basis as possible',

"Noting with satisfaction the efforts already made by the Secretary-General to improve the geographical distribution of posts in the Secretariat,

"Considering nevertheless that arrangements should be made to ensure an even more equitable distribution of posts,

"Recognizing the need for a large proportion of permanent contracts to ensure the stability and efficient operation of the Secretariat,

"1. Believes that, for some time at least, increased recruitment on the basis of fixed-term contracts might help to achieve a balanced geographical distribution;

"2. Invites the Secretary-General, in existing conditions and until an equitable geographical representation has been finally achieved, not to recruit solely on the basis of permanent contracts for posts hitherto

filled exclusively by such contracts and, in cases where a permanent contract has to be retained for a vacant post, to give preference to candidates from inadequately represented countries;

"3. Invites the Secretary-General to draw the attention of the competent authorities of the specialized agencies to this problem at a forthcoming session of ACC;

"4. Requests the Secretary-General to take this resolution into account in his future reports on the composition of the Secretariat staff."

21. A revision of the three-Power draft resolution (A/C.5/L.879/Rev.1) was submitted at the 1155th meeting. In the revised text, the sponsors:

(a) replaced the second preambular paragraph by the following two paragraphs:

"Recalling the provisions of Articles 100 and 101 of the Charter,

"Recalling further General Assembly resolution 1928 (XVIII) on this question";

(b) added at the end of the third preambular paragraph the words: "and mentioned in the report (A/6487)";

(c) added at the end of the fifth preambular paragraph the words: "and noting the statement of the Secretary-General in paragraph 14 of document A/6487";

(d) replaced operative paragraphs 1 and 2 by the following:

"1. Believes that, as a temporary measure, increased recruitment on the basis of fixed-term contracts, especially in the case of developing countries, might help to achieve a balanced geographical distribution;

"2. Invites the Secretary-General, in existing conditions and in order to achieve equitable geographical representation, not to recruit solely on the basis of permanent contracts for posts hitherto filled by staff members having such contracts and to give preference to candidates from inadequately represented countries";

(e) inserted, in operative paragraph 3, the words: "in his capacity as Chairman of the Administrative Committee on Co-ordination", after the words "the Secretary-General".

22. At the same meeting, Japan, Jordan, Nigeria, Pakistan, Sudan, Syria and Turkey submitted the following amendments (A/C.5/L.881) to the three-Power draft resolution (A/C.5/L.879/Rev.1):

"1. Insert the following as fourth preambular paragraph:

"Noting that in the determination of the recruitment priorities, the Secretary-General bears in mind the need for a more equitable distribution of staff amongst the Member States within the various regions, in particular at the levels of senior posts,"

"2. Insert the following as operative paragraph 3 and renumber the existing operative paragraphs.

"3. Recommends to the Secretary-General to consider devising a system whereby he could take into account the level of appointment along with the number of posts in the determination of desirable ranges of posts for individual countries and to report to the twenty-second session of the General Assembly on this subject;"

23. A further amendment (A/C.5/L.882) to the three-Power draft resolution (A/C.5/L.789/Rev.1) was submitted by Congo (Democratic Republic of), France and Senegal, and was subsequently revised (A/C.5/L.882/Rev.1) to read as follows:

"At the end of operative paragraph 4, add the following sentence:

"Further requests him to undertake a study of the methods which should be used to ensure a more equitable use of the working languages of the Organization and a better balance between those languages in the recruitment of staff at all levels, and in particular at the higher levels, of the Secretariat, and to include his conclusions on this question in his future reports."

24. At the 1156th meeting, the sponsors of the draft resolution, together with Afghanistan, submitted a second revision (A/C.5/L.879/Rev.2), which contained the following changes:

(a) In operative paragraph 1, the words "and under existing conditions" were inserted after the words "as a temporary measure";

(b) Operative paragraph 2 was replaced by the following text:

"2. Invites the Secretary-General to give preference to candidates from inadequately represented countries;"

(c) In operative paragraph 3, the word "further" was added after the word "Invites".

25. At the same meeting, the representative of Bulgaria requested the sponsors of draft resolution A/C.5/L.879/Rev.2 either to delete the last preambular paragraph, which recognized the need for a large proportion of permanent contracts, or to replace it by the first sentence of Article 101, paragraph 3 of the Charter, or else to replace the word "permanent" in that paragraph by the words "fixed-term with longer duration" or by the word "semi-permanent", those two expressions being equivalent. If the sponsors could accept none of those suggestions, he would introduce a formal amendment to insert the words "and semi-permanent" after the word "permanent".

26. At the 1158th meeting, the sponsors of the amendments (A/C.5/L.881) to the draft resolution submitted a revised text (A/C.5/L.881/Rev.1) under which the proposed additional operative paragraph 3 would read as follows:

"3. Requests the Secretary-General to study the question of determining the desirable ranges of posts for individual countries, taking into account the level of appointment together with the number of posts;"

27. At the same meeting, the sponsors of amendment A/C.5/L.882/Rev.1, which had not been incorporated in the second revision of the draft resolution (A/C.5/L.879/Rev.2), replaced the amendment by a separate draft resolution (A/C.5/L.883, Corr.1 and Add.1). The text of the new draft resolution, which

was initially sponsored by Belgium, Congo (Democratic Republic of), France, Ivory Coast, Mali, Niger, Rwanda, Senegal and Togo, and subsequently also by Argentina, Dahomey, Guatemala, Mauritania and Mexico, read as follows:

"The General Assembly,

"Bearing in mind rule 51 of the rules of procedure of the General Assembly,

"Noting the statement by the Secretary-General in paragraph 3 of document A/6487,

"Recognizing the limitations in regard to the recruitment of staff which result from language considerations,

"Requests the Secretary-General to study the methods which should be used to ensure a more equitable use of the working languages of the Organization and a better balance among those languages in the recruitment of staff at all levels, and in particular at the higher levels, of the Secretariat, and to include his conclusions on this question in his future reports."

28. At the 1159th meeting, Kenya, Nepal, Uganda, and the United Republic of Tanzania requested that they be included in the list of sponsors of the amendments (A/C.5/L.881/Rev.1).

29. At the same meeting, the Central African Republic, Chile, Colombia, Ecuador, El Salvador, Haiti and Madagascar requested that they be included in the list of sponsors of draft resolution A/C.5/L.883.

Voting

30. Before the Committee proceeded to vote on the draft resolutions and amendments, the representative of Poland requested that the sixth preambular paragraph of draft resolution A/C.5/L.879/Rev.2 be voted upon separately.

31. Following a procedural debate, in the course of which one representative requested but later withdrew his request, that the Bulgarian amendment first be submitted in writing the Committee voted as follows:

(a) The first amendment in document A/C.5/L.881/Rev.1 - to insert a new fourth preambular paragraph in draft resolution A/C.5/L.879/Rev.2 - was adopted by 82 votes to 2, with 15 abstentions.

(b) The second amendment in document A/C.5/L.881/Rev.1 - to insert a new operative paragraph 3 in draft resolution A/C.5/L.879/Rev.2 - was adopted by 79 votes to 2, with 19 abstentions.

(c) An oral amendment proposed by the representative of Bulgaria - to insert the words "and semi-permanent" after the word "permanent" in the sixth preambular paragraph of draft resolution A/C.5/L.879/Rev.2 - was adopted by 49 votes to 23, with 25 abstentions.

(d) The representative of Poland then withdrew his request for a separate vote on the sixth preambular paragraph of draft resolution A/C.5/L.879/Rev.2.

(e) Draft resolution A/C.5/L.879/Rev.2, as amended, was adopted by 84 votes to 2, with 14 abstentions (see paragraph 36 below, draft resolution A).

(f) Draft resolution A/C.5/L.883 and Add.1 was adopted by a roll-call vote of 75 to none, with 30 abstentions (see paragraph 36 below, draft resolution B).

The voting was as follows:

In favour: Albania, Algeria, Argentina, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Democratic Republic of), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, India, Iran, Ireland, Israel, Italy, Ivory Coast, Jamaica, Lebanon, Luxembourg, Madagascar, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Niger, Pakistan, Panama, Paraguay, Peru, Poland, Romania, Rwanda, Senegal, Sierra Leone, Spain, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Uruguay, Venezuela, Yugoslavia.

Against: None.

Abstaining: Afghanistan, Australia, Denmark, Finland, Iceland, Indonesia, Iraq, Japan, Jordan, Kenya, Kuwait, Liberia, Libya, Malaysia, Netherlands, New Zealand, Nigeria, Norway,

Philippines, Saudi Arabia, Sudan, Sweden, Syria, Thailand, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Yemen, Zambia.

(b) Other Personnel Questions

32. In his report (A/6491 and Corr.1) on this item, the Secretary-General made the following proposals:

(a) On the recommendation of the International Civil Service Advisory Board as endorsed by the Administrative Committee on Co-ordination, to increase, as an interim measure pending completion of the Board's review of the education grant, the maximum of the grant to be raised from \$700 to \$800 per scholastic year for each child.

(b) In interpretation of Staff Regulation 3.3 (e) and (f), to include in the amount of the refund of the income tax paid by United States staff members in respect of their official income the difference between the amount of the social security tax which they were required to pay as employees of the United Nations and the amount they would have paid as employees of a taxable employer. This procedure, to become effective 1 January 1967, would cover reimbursements in respect of 1966 and subsequent years. The cost of the reimbursement would, with the concurrence of the United States Government, be charged against the sub-account standing to the credit of that Government in the Tax Equalization Fund.

(c) With effect from 1 January 1967, to make available to retired staff members or their survivors health insurance under the schemes established by the United Nations for its staff. Extension of the insurance would be subject to certain conditions of eligibility and to the basic principles governing the operation of the health insurance schemes.

33. In part IV of his report the Secretary-General, pursuant to Staff Regulation 12.2, informed the General Assembly of the amendments he had made to the staff rules from 1 September 1965 to 31 August 1966.

34. The Advisory Committee on Administrative and Budgetary Questions, in its report (A/6521) on these questions, recommended as follows:

/...

(a) In the absence of adequate evidence to justify an interim increase in the education grant, it was not in a position for the time being to make an affirmative recommendation on the Secretary-General's proposal.

(b) It had no objection to the Secretary-General's interpretation of Staff Regulation 3.3 in respect of partial refunds to staff members required to pay the United States social security tax.

(c) It agreed to the proposals of the Secretary-General for an extension of the health insurance scheme to cover retired officials or survivors.

DECISION OF THE FIFTH COMMITTEE

35. At its 1155th meeting, the Fifth Committee, without objection, adopted the following recommendation for inclusion in its report to the General Assembly:

(a) The Secretary-General should be allowed to proceed, within the framework of the authority conferred on him by Staff Regulation 3.3 (e) and (f), to reimburse United Nations staff members of United States nationality the difference between the amount of the social security tax each staff member was required to pay as a United Nations employee and the amount he would have paid as an employee of a taxable employer. That procedure would become effective 1 January 1967 to cover reimbursements in respect of 1966 and subsequent years. Reimbursements would be met by drawing on the sub-account standing to the credit of the United States Government in the Tax Equalization Fund.

(b) The General Assembly should approve the proposals made by the Secretary-General relating to extension of health insurance coverage for retiring or disabled staff members and dependants as contained in paragraphs 18 to 20 of document A/6491.

(c) The General Assembly should take note of the amendments made to the Staff Rules during the period 1 September 1965 to 31 August 1966.

RECOMMENDATIONS OF THE FIFTH COMMITTEE

36. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions.

Composition of the Secretariat

A

The General Assembly,

Bearing in mind the considerable changes which have occurred in the membership of the United Nations and the specialized agencies,

Recalling the provisions of Articles 100 and 101 of the Charter of the United Nations,

Recalling further its resolution 1928 (XVIII) on this question,

Noting that in the determination of the recruitment priorities the Secretary-General bears in mind the need for a more equitable distribution of staff among the Member States within the various regions, in particular at the levels of senior posts,

Noting with satisfaction the efforts already made by the Secretary-General to improve the geographical distribution of posts in the Secretariat and mentioned in his report, 1/

Considering nevertheless that arrangements should be made to ensure an even more equitable distribution of posts,

Recognizing the need for a large proportion of permanent and semi-permanent contracts to ensure the stability and efficient operation of the Secretariat and noting the statement of the Secretary-General in paragraph 14 of his report,

1. Believes that, as a temporary measure and under the existing conditions, increased recruitment on the basis of fixed-term contracts, especially in the case of developing countries, might help to achieve a balanced geographical distribution;

2. Invites the Secretary-General to give preference to candidates from inadequately represented countries;

3. Requests the Secretary-General to study the question of determining the desirable ranges of posts for individual countries, taking into account the level of appointment together with the number of posts;

4. Invites further the Secretary-General, in his capacity as Chairman of the Administration Committee on Co-ordination, to draw the attention of the competent authorities of the specialized agencies to this problem at a forthcoming session of the Advisory Committee on Co-ordination;

5. Requests the Secretary-General to take the present resolution into account in his future reports on the composition of the Secretariat staff.

B

The General Assembly,

Bearing in mind rule 51 of the rules of procedure of the General Assembly,

Noting the statement by the Secretary-General in paragraph 3 of his report on personnel questions, 2/

Recognizing the limitations in regard to the recruitment of staff which result from language considerations,

Requests the Secretary-General to study the methods which should be used to ensure a more equitable use of the working languages of the Organization and a better balance among those languages in the recruitment of staff at all levels, and in particular at the higher levels, of the Secretariat, and to include his conclusions on this question in his future reports.

2/ A/6487 and Corr.1.