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REPORT OF THE INTERNATIONAL CIVIL SERVICE COMMISSION

Report of the Fifth Committee

Rapporteur: Mr. Hamzah Mohammed HAMZAH (Syrian Arab Republic)

I. INTRODUCTION

1. At its 4th and 5th plenary meetings, on 22 September 1978, the General Assembly decided to include in its agenda the item entitled "Report of the International Civil Service Commission" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 32nd, 34th, 37th, 38th, 40th to 42nd and 56th meetings, on 13, 15, 20 to 22, 24 and 27 November and 9 December. Comments made by delegations in the course of the discussion of this item are reflected in the relevant summary records (A/C.5/33/SR.32, 34, 37, 38, 40-42 and 56).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Fourth annual report of the International Civil Service Commission, and addendum; 1/

(b) Report of the Secretary-General on the financial implications of recommendations and decisions contained in the report of the Commission (A/C.5/33/37);

(c) Note by the Secretary-General on the amendments to the Staff Regulations of the United Nations (A/C.5/33/62).

1/ Official Records of the General Assembly, Thirty-third Session, Supplement No. 30 (A/33/30) and A/33/30/Add.1.

4. In accordance with article 17 of its statute (General Assembly resolution 3357 (XXIX), annex), the International Civil Service Commission submitted its fourth annual report, covering its work in 1978, to the Assembly and to be transmitted to the governing organs of the other organizations in the United Nations system participating in its work, through their executive heads, and to staff representatives.

5. In its report, the Commission summarized the action taken by it in 1978, generally giving priority to those questions on which the General Assembly had requested it at its thirty-second session (resolution A/32/200) to report in 1978, while maintaining on its agenda several other questions relating to the review of the salary system which it had itself previously noted as urgent and important or pertaining to its long-term functions under articles 13, 14 and 15 of its statute, including such fundamental personnel management concerns as job classification, recruitment policies and practices, career development, staff evaluation and training. The Commission had also examined in 1978 the effects of currency instability on the common salary system, particularly the depreciation of the currency in which the United Nations kept its accounts in relation to many other currencies. A summary of the Commission's recommendations calling for a decision by the General Assembly of the United Nations and the legislative organs of the other organizations participating in the common system was contained in the report. ^{2/} In addition, the Commission had recommended to the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) a salary scale for the General Service staff, reflecting the best prevailing conditions in Paris as at 1 January 1978.

6. The Chairman of the International Civil Service Commission introduced the Commission's report in an oral statement before the Fifth Committee at its 32nd meeting, on 13 November (A/C.5/33/SR.32, paras. 26-55).

7. At the 32nd meeting, the Chairman of the Advisory Committee on Administrative and Budgetary Questions presented that Committee's oral report. (See A/C.5/33/SR.32).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/33/L.33/Rev.1

8. At the 56th meeting, on 9 December, the representative of Japan introduced a draft resolution (A/C.5/33/L.33/Rev.1) ^{3/} on behalf of Argentina, Canada, Chad, Chile, Ecuador, Egypt, Ghana, India, the Ivory Coast, Japan, Jordan, Kenya, the Libyan Arab Jamahiriya, Morocco, New Zealand, Pakistan, Panama and the United States of America, subsequently joined by Mexico.

^{2/} Ibid., p. viii.

^{3/} The draft resolution, in its revised version, was reissued for technical reasons (A/C.5/33/L.33/Rev.1**).

9. At the same meeting, the representative of Barbados proposed an oral amendment to draft resolution A/C.5/33/L.33/Rev.1 whereby section II, paragraph 2, would read as follows:

"2. Approves the Commission's intention to keep under review the effects of currency instability upon the United Nations common system of salaries and allowances, to continue its efforts to eliminate possible anomalies in post adjustments at certain duty stations, and to seek to improve the system;"

The oral amendment was accepted by the sponsors.

10. Also at the 56th meeting, the representative of Belgium proposed an oral amendment whereby section II, paragraph 3, of the draft resolution would read as follows:

"3. Approves also the Commission's intention to make, as a matter of priority, a comprehensive examination of the functioning, methods of establishment and adjustment and appropriate level of pensionable remuneration, in particular with a view to preparing, in co-operation with the United Nations Joint Staff Pension Board, proposals to be submitted to the General Assembly at its thirty-fourth session for correcting anomalies in the United Nations pension system brought about by the current economic and monetary circumstances;

The oral amendment was accepted by the sponsors.

11. At the same meeting, the representative of the United States of America proposed an oral amendment to the annex to the draft resolution whereby regulation 3.4 would read:

"The amount of either of these allowances payable in local currency shall not be less than the local currency equivalent of the dollar amount at the time it was established or last revised."

This oral amendment was adopted.

III. DECISION OF THE COMMITTEE

12. At the request of the representative of the Union of Soviet Socialist Republics, section IV of draft resolution A/C.5/33/L.33/Rev.1 was put to the vote separately. That paragraph was adopted by 65 votes to 9, with 10 abstentions. The draft resolution as a whole, as orally amended, was adopted by 74 votes to none, with 11 abstentions (see para. 13 below).

IV. RECOMMENDATION OF THE FIFTH COMMITTEE

13. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

/...

Report of the International Civil Service Commission

The General Assembly,

Taking note with appreciation of the fourth annual report of the International Civil Service Commission, 4/ the report of the Secretary-General thereon 5/ and the related oral report of the Advisory Committee on Administrative and Budgetary Questions, 6/

Reiterating the importance of the role of the Commission as a central point within the common system for questions of personnel policy,

Reaffirming the objective which it stated in adopting article 9 of the statute of the International Civil Service Commission, namely, "the development of a single unified international civil service through the application of common personnel standards, methods and arrangements",

Viewing with deep concern discordant actions taken unilaterally by several of the organizations in recent months,

I

1. Urges the competent authorities of all organizations of the United Nations common system to refrain from actions which do not contribute to the strengthening and development of the common system;

2. Requests the Secretary-General and his colleagues on the Administrative Committee on Co-ordination to study the feasibility of establishing a single administrative tribunal for the entire common system and to report to the General Assembly at its thirty-fourth session;

3. Calls upon Member States to ensure that their representatives in the governing organs of the specialized agencies do not take, on matters of concern to the common system, positions conflicting with those which they took in the General Assembly;

II

1. Expresses the hope that, notwithstanding the pressure of urgent problems concerning remuneration, the International Civil Service Commission will be able to assume progressively its functions under articles 13 and 14 of its statute and make progress in 1979 in its consideration of those aspects of personnel policy other than remuneration mentioned in paragraphs 309 to 329 of the report of the

4/ Official Records of the General Assembly, Thirty-third Session, Supplement No. 30 (A/33/30) and A/33/30/Add.1.

5/ A/C.5/33/37.

6/ See A/C.5/33/SR.32.

Commission, in particular career development and those other aspects which have occupied the General Assembly's attention at its current session;

2. Approves the Commission's intention to keep under review the effects of currency instability upon the United Nations common system of salaries and allowances, to continue its efforts to eliminate possible anomalies in post adjustments at certain duty stations and to seek to improve the system;

3. Also approves the Commission's intention to make, as a matter of priority, a comprehensive examination of the functioning, methods of establishment and adjustment and appropriate level of pensionable remuneration, in particular with a view to preparing, in co-operation with the United Nations Joint Staff Pension Board, proposals to be submitted to the General Assembly at its thirty-fourth session for correcting anomalies in the United Nations pension system brought about by the current economic and monetary circumstances;

III

1. Notes the report of the International Civil Service Commission on the evolution of the relationship between remuneration of the Professional and higher categories of the United Nations common system and the comparator national civil service and the Commission's conclusion on safeguards existing against possible undue widening of the margin between the levels of the remuneration of the two services resulting from the operation of the post adjustment system;

2. Approves the use, for the purpose of making such salary comparisons of the table of grading equivalencies recommended by the Commission in paragraph 92 of its report and requests the Commission to continue its study of grade equivalencies between the United Nations common system and the comparator national civil service, in order to determine the proper equivalent grades in the comparator system for the United Nations grades of D-2 and Assistant Secretary-General, and to report its findings to the General Assembly at its thirty-fourth session;

3. Further requests the Commission to study the feasibility of identifying posts of equivalent functions and responsibilities for the post of Under-Secretary-General and to report to the General Assembly at its thirty-fourth session;

IV

1. Decides that, with effect from 1 January 1979, the amount of the dependency allowances payable in local currency to staff in the Professional and higher categories shall not be less than the local currency equivalent of the dollar amount of the allowance at the time it was established or last revised;

2. Further decides that the scale of termination indemnities established by the General Assembly in resolution 31/141 of 17 December 1976 be amended to provide that the indemnity payable to a staff member holding a fixed-term appointment with less than six years' completed service shall not exceed three months' pensionable remuneration less staff assessment;

3. Requests the International Civil Service Commission to give further study to the question of an end-of-service grant payable to staff members with fixed-term appointments in the context of its examination of the relationship between career staff and fixed-term staff in the common system, ensuring that such a grant does not become a form of pre-pension plan, and make recommendations to the General Assembly not later than its thirty-fifth session;

4. Decides that payment of the repatriation grant to entitled staff members shall be made conditional upon the presentation by the staff member of evidence of actual relocation, subject to the terms to be established by the Commission;

5. Approves the rates of the payment to be made to the spouse or dependent children of a staff member who dies in service, as set out in the schedule contained in paragraph 194 of the Commission's report;

6. Decides that the existing age limit for eligibility to the education grant be replaced by the formula "up to the end of the fourth year of post-secondary studies or the award of the first recognized degree, whichever is the earlier";

7. Decides also that expenses incurred by expatriate staff members for the post-secondary studies of their children in the country of the parent's duty station shall be eligible for reimbursement under the education grant, with effect from the beginning of the academic year in course of 1 January 1979;

8. Further decides that when, for the purpose of applying the scale of reimbursements approved for the education grant, the expenses incurred by a staff member in a currency other than the United States dollar are converted into dollars, the rate of exchange used shall be whichever is the higher of that which was in force at the date when the existing scale of reimbursements came into effect or that in force at the date when the reimbursement is made, the same rate being used in converting the dollar amount of the reimbursement into the currency in which it is to be paid;

9. Approves the extension of the provision of the education grant to include the reimbursements of the expenses incurred by staff members for the special education of their disabled children, upon the terms and conditions specified in paragraph 246 of the Commission's report and in the annex to the present resolution;

10. Invites the Commission to reconsider its intention to extend the assignment allowance from five to seven years;

11. Approves the amendments to the Staff Regulations of the United Nations necessary to give effect to the above decisions, as set out in the annex to the present resolution, and invites the Secretary-General to make such consequential changes as are necessary in the Staff Rules and to report thereon to the General Assembly at its thirty-fourth session in accordance with the provisions of regulation 12.2 of the Staff Regulations;

12. Decides that the above decisions shall enter into effect on 1 January 1979, except where otherwise specified.

ANNEX

Amendments to the Staff Regulations of the United Nations

Regulation 3.2

In the first paragraph, delete the words "under the age of twenty-one" from the first sentence and insert the following text as the second sentence:

"The grant shall be payable in respect of the child up to the end of the fourth year of post-secondary studies or the award of the first recognized degree, whichever is the earlier."

Insert the following text as the third paragraph:

"The Secretary-General shall also establish terms and conditions under which an education grant shall be available to a staff member whose child is unable, by reason of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him/her for full integration into society or, while attending a normal educational institution, requires special teaching or training to assist him/her in overcoming the disability. The amount of this grant per year for each disabled child shall be equal to 75 per cent of the educational expenses actually incurred up to \$4,000, subject to a maximum grant of \$3,000.

Regulation 3.4

Add the following sentence at the end of paragraph (a):

"The amount of either of these allowances payable in local currency shall not be less than the local currency equivalent of the dollar amount at the time it was established or last revised."

Annex III

In the schedule of termination indemnities set out in paragraph (a) of Annex III, amend the wording in the last column to read as follows:

"One week for each month of uncompleted service subject to a minimum of six weeks' and a maximum of three months' indemnity pay."
