



SUMMARY RECORD OF THE 29th MEETING

Chairman: Mr. AMNEUS (Sweden)

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

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The meeting was called to order at 10.05 a.m.

AGENDA ITEM 118: ADMINISTRATIVE AND BUDGETARY CO-ORDINATION OF THE UNITED NATIONS WITH THE SPECIALIZED AGENCIES AND THE INTERNATIONAL ATOMIC ENERGY AGENCY (continued)

(c) FEASIBILITY OF ESTABLISHING A SINGLE ADMINISTRATIVE TRIBUNAL; REPORT OF THE SECRETARY-GENERAL (continued) (A/42/328)

1. The CHAIRMAN said that he had been asked to suggest a procedure for dealing with the sub-item, which had been on the agenda for several years without the Committee having had time to discuss it. Bearing in mind the statement made by the Legal Counsel at the 23rd meeting, including his reference to the experience recently gained by the Sixth Committee in preparing a complex text through informal intersessional consultations, held mainly in New York, which had resulted in a draft resolution that had been submitted to the Assembly, he [the Chairman] proposed to submit a draft decision to the Committee for approval. The decision would recall the pertinent facts, would request the Secretary-General to arrange for consultations to be held in New York among interested representatives during the first half of 1988 to consider the proposals contained in the Secretary-General's latest report on the subject, would express the hope that Member States would be represented by persons knowledgeable in personnel administration, finance and law, and would ask the Secretary-General to report back on the outcome of the consultations and to make proposals at the forty-third session so that the Assembly could conclude its consideration at that session. Finally, he said that sub-item (c) should be reworded to read "harmonization of the Statute, rules and practices of the Administrative Tribunals of the International Labour Organisation and the United Nations.

2. Mr. TETTAMANTI (Argentina), Mr. MAJOLI (Italy) and Mr. ABRASZEWSKI (Poland) endorsed the Chairman's suggestion.

3. The CHAIRMAN, responding to a question from the representative of the United Kingdom, said that the conclusion drawn from previous discussions was that there was no need to involve the Sixth Committee at that stage. Responding to a question from the representative of Italy, he said that it would be left to the Office of Legal Affairs to decide who should co-ordinate the consultations. The consultations would, of course, be open-ended and meetings would be announced in good time.

4. If he heard no objection, he would take it that the Committee wished him to prepare and circulate a draft decision along the lines he had just indicated.

5. It was so decided.

The meeting was suspended from 10.35 to 11.05 a.m.

AGENDA ITEMS 115 AND 116: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1988-1989 AND PROGRAMME PLANNING (continued)

First reading (continued) (A/42/3, A/42/6 and Corr.1, A/42/7 and Add.2, A/42/16 (Part I) and Add.1 and (Part II), A/42/512, 532 and 640; A/C.5/42/2/Rev.1)

Section 1. Overall policy-making, direction and co-ordination (continued)

6. Mr. HARAN (Israel) said that his delegation had been absent at the previous meeting during the recorded vote on subsections A.7 and B.4 of section 1 relating, respectively, to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Division for Palestinian Rights. Had it been present, it would have voted against approval of the amounts requested in those subsections.

7. Mr. PRODJOWARSITO (Indonesia), Mr. ORTEGA-NALDA (Mexico), Mr. SEQUIS (Philippines) and Mr. MAKTARI (Yemen) said that they, too, had been absent during the voting. Had they been present they would have voted in favour of the amounts requested in subsections A.7 and B.4.

AGENDA ITEM 120: PATTERN OF CONFERENCES; REPORT OF THE COMMITTEE ON CONFERENCES (continued) (A/42/32; A/C.5/42/11 and 29; A/C.5/42/L.4)

Draft resolution A (A/C.5/42/L.4)

8. The CHAIRMAN said that if he heard no objection, he would take it that the Committee wished to adopt the amendments in paragraphs 1, 2 and 3 of document A/C.5/42/L.4

9. It was so decided.

10. Draft resolution A, as amended, was adopted.

Draft resolution B

11. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to add a new paragraph, as proposed in paragraph 5 of document A/C.5/42/L.4.

12. It was so decided.

13. Draft resolution B, as amended, was adopted.

Draft resolution C

14. Draft resolution C was adopted.

15. Mr. FIGUEIRA (Brazil) said that his delegation's understanding of paragraph 5 of draft resolution B was that the Secretary-General was being asked to submit his views on the possibility that all organizational aspects of conference servicing in

(Mr. Figueira, Brazil)

the United Nations as a whole could be centrally planned and co-ordinated at the intergovernmental level so as to avoid duplication between the Assembly and the Economic and Social Council. The Council should not be involved in approving the calendar of conferences or in decisions relating to summary records. It was for the Assembly to issue a single calendar of conferences for all United Nations meetings and to lay down all the rules to ensure that conference-servicing resources were used as economically as possible.

16. It was his delegation's understanding that draft resolution C was designed to facilitate implementation of existing legislative mandates relating to the use of languages in the United Nations, without, however, increasing the administrative or conference-servicing costs. It was on that basis that his delegation had joined in the consensus on the draft resolutions.

17. Mr. TAKASU (Japan) said that his delegation had not objected to draft resolution C, despite the fact that paragraph 1 in particular left room for different interpretations and could result in misunderstanding and confusion regarding its future implementation. It was his delegation's understanding, based on the Secretary-General's statement of programme budget implications (A/C.5/42/29) and on the statement made by the Vice-Chairman of the Committee when introducing document A/C.5/42/L.4 at the 20th meeting, that draft resolution C would be implemented in accordance with the existing rules and procedures and current practices governing the use of official and working languages in the principal organs of the Organization, in their subsidiary bodies and in the Secretariat. Accordingly, draft resolution C would not in any way affect the current practices with respect to the provision of language services to deliberative bodies of the United Nations or the languages of the various units of the Secretariat and of the Organization's publications. Since it had no financial or programmatic implications, the draft resolution should not be used as a basis for exempting the Department of Conference Services from the general policy on staff reductions. The argument that, on the basis of that draft resolution, the estimate for temporary assistance for meetings should not be reduced from the level originally requested by the Secretary-General was also unacceptable. Economies could be achieved by improving co-ordination and revising work-load standards for the various categories of conference-servicing staff.

18. Mr. LADJOUZI (Algeria) said that if the draft resolutions in document A/C.5/42/L.4 had been put to the vote, his delegation would have pressed for a number of changes. It was in a spirit of co-operation and because of its general interest in conference-servicing issues that it had accepted the resolutions as they stood. It regretted that the Fifth Committee had not been able to deal at its current session with the matters left pending by the last session of the Committee on Conferences. It had been understood that the question of the composition of the Committee on Conferences would be left to the General Assembly because of its political character. A compromise on that point would have facilitated agreement on a new mandate. His delegation understood the absence of any directive by the General Assembly regarding the revision of the mandate of the Committee on Conferences as confirming recommendation 1 (d) of the Group of High-level

(Mr. Ladjouzi, Algeria)

Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations (Group of 18) and the budget process set out in annex I to General Assembly resolution 41/213.

19. His delegation wished to thank the co-sponsors of the original draft resolution on equality of treatment for the official and working languages of the Organization. The draft resolution had given delegations an opportunity to stress the many instances of unequal treatment reflected in language staff numbers. His delegation regarded paragraph 1 of draft resolution C as a reaffirmation of the principle of equality of treatment for all the official languages. Paragraph 4 requested the Secretary-General to take the necessary measures to ensure respect for the equal treatment of all official languages. Accordingly, any reductions in the staff of the interpretation and translation services in pursuance of recommendation 15 of the Group of 18, and any new appropriations, must be based on such equality of treatment.

20. Mr. MONTHE (Cameroon) said he was glad that the Under-Secretary-General for Conference Services and Special Assignments was present to hear delegations explain their positions on the draft resolutions under agenda item 120. Those explanations would provide guidance on how the draft resolutions should be implemented. Regarding draft resolution A, his delegation's understanding of paragraph 4 was that, in considering the outstanding issues with respect to its mandate, the Committee on Conferences should also take into account the very specific views expressed by the Fifth Committee at the forty-first session. On draft resolution C, he wished to remind the Under-Secretary-General that equality of treatment for all the official languages involved both a linguistic and a geographical balance. While the principle of geographical distribution did not apply to language staff, care should nevertheless be taken to diversify recruitment in order to reflect the cultural diversity among countries of the world that might speak the same language.

21. Mr. EL AMRANI (Morocco) said that his delegation, together with many others, hoped that draft resolution C would rectify the current delays in issuing documents and the unequal treatment accorded to some official languages. Delays in issuing documents in Arabic, in particular, prevented Arabic-speaking delegations from enjoying equal treatment, thus damaging their interests. He noted that draft resolution C itself had had to be discussed without an Arabic text. His delegation recognized that the resources of the Arabic Translation Service limited and fully appreciated its efforts. He stressed that any reduction in translation and interpretation posts under General Assembly resolution 41/213 should not be at the expense of any one language. He urged the Secretary-General to make every possible effort to provide enough staff to facilitate the work of the large number of Arabic-speaking delegations.

22. Mr. ZONGWE (Zaire) said that the sole objective of draft resolution C was to strengthen United Nations policy in regard to official languages and to create a climate conducive to the use of all the official languages, thus emphasizing the pluralistic nature of the Organization in accordance with the resolutions

(Mr. Zongwe, Zaire)

previously adopted by the General Assembly. He believed that the language of the draft resolution would help the Department of Conference Services to ensure equal treatment for all the official languages.

23. Mr. FONTAINE-ORTIZ (Cuba) thanked the original co-sponsors of draft resolution C for drawing attention to the steady deterioration of the situation in regard to equal treatment for all official languages. His delegation's acceptance of the draft resolution did not imply acceptance of the Secretary-General's statement on the programme budget implications of the draft (A/C.5/42/29). His delegation would oppose any attempt to relegate Spanish to an inferior status among the official languages and he trusted that the Spanish translation and interpretation services would receive the resources needed to ensure equal treatment. It was quite unacceptable to invoke the financial crisis as a justification for discriminating against some official languages to the benefit of others. Resources, however scarce, must be shared proportionately.

24. Ms. ZHANG Xian (China) said that the adoption of draft resolution C was timely in view of the constraints arising from the current financial crisis. Her delegation believed that any reduction in conference-servicing posts should be applied with due flexibility, in order to ensure the provision of adequate conference services to the Organization. Given the need to ensure respect for equal treatment of all the Organization's official languages, including Chinese, draft resolution C should be implemented in full.

25. Mr. JEMAIL (Tunisia) said that his delegation, as one of the original co-sponsors of draft resolution C, welcomed its adoption after long and difficult negotiations. It wished to point out that the draft resolution applied only to the treatment of official languages, without reference to the separate issue of working languages. Implementation of the resolution should pose no problems, in view of the clearness of the text.

26. Mr. MAKTARI (Yemen) said that his delegation shared the views expressed by the delegations of Algeria and Morocco with respect to the use of Arabic and other official languages. It had joined in the consensus on draft resolution C, on the understanding that discrimination against a particular official language could not be justified, even in the context of financial constraints. Any discriminatory measure, such as a reduction in language posts or a failure to provide records or documents in certain languages, would run counter to the provisions of the Charter and complicate the work of the Organization. The rumoured 15 per cent reduction in resources allocated for Arabic language services would inevitably harm many United Nations programmes and activities and must not take place.

27. Although his delegation had not wished to raise objections before the draft resolutions were adopted, it could not help but draw attention to certain serious errors in the Arabic text of document A/C.5/42/L.4, notably in the fourth preambular paragraph and paragraphs 1 and 2 of draft resolution C. The Secretariat should ensure that documents circulated to delegations were properly drafted in all official languages.

28. Mr. UPTON (United Kingdom) expressed regret, in connection with draft resolution A, that the Committee on Conferences had not completed the task assigned to it under General Assembly resolution 41/177 D and urged the Committee to submit full recommendations in that respect to the General Assembly at its forty-third session. There appeared to be no need for the elaboration of further guidelines for the Committee on Conferences, since sufficient guidance was already provided by General Assembly resolution 41/213 and previous resolutions on the pattern of conferences. With regard to draft resolution C, his delegation had joined in the consensus on the understanding that the terms of the resolution were in accordance with the Charter and would neither substantially affect the current rules of procedure or practices of Secretariat bodies nor entail any additional expenditure.

29. Ms. BOGARDE (Sweden) said that her delegation, while fully respecting the legitimate calls for equal treatment of official languages expressed in draft resolution C, noted that the majority of delegations never had the opportunity of conducting business in their mother tongues.

30. Mrs. LAMELA (Spain) said that paragraph 4 of draft resolution C requested the Secretary-General to ensure compliance with a principle which had been reiterated in many resolutions. Her delegation understood the text to mean that any reduction in resources and/or staff would apply equally to all official languages.

31. Mr. BARABANOV (Union of Soviet Socialist Republics) drew the Committee's attention, in connection with draft resolution A, to the Vice-Chairman's statement concerning the results of informal consultations on agenda item 120. That statement had referred to the wish of several delegations that specific guidelines should be elaborated for the Committee on Conferences in the light of recommendation 1 (d) of the Group of 18. The report of the Committee on Conferences indicated that delegations had been unable to agree on an interpretation of that recommendation, thus preventing the Committee from taking a final decision on its new mandate. On the other hand, several delegations had objected to the elaboration of guidelines for the Committee within the framework of agenda item 120, and it had been suggested that the problem should be solved during the current session in the context of another agenda item. It was the hope of his delegation that an appropriate solution would indeed be reached within the framework of one of the agenda items currently before the Fifth Committee.

32. Although his delegation had no specific observations on draft resolutions B and C, that did not mean that it attached any less importance to the use of that language in the work of the General Assembly.

33. Mr. WYZNER (Under-Secretary-General for Conference Services and Special Assignments) said that, on behalf of the Organization's dedicated conference-servicing staff worldwide, he wished to express gratitude for the words of appreciation and guidance offered by the members of the Fifth Committee. The three draft resolutions just adopted constituted a mandate for his Department, subject to the expected approval of the General Assembly. With respect to draft resolution C, he assured the Committee that the Secretary-General remained fully committed to equal treatment for the Organization's official languages and that the

(Mr. Wyzner)

Department of Conference Services would comply with the instructions of the Secretary-General and the Fifth Committee in implementing its provisions.

34. With regard to the question raised by the representative of Morocco, he pointed out that the case in which a text had not been circulated in all official languages was one in which the text had been distributed informally by delegations. Texts received by the Department of Conference Services were circulated in all official languages, in accordance with the principle of simultaneous distribution.

35. In reply to the statement made by the representative of Yemen, he stated that the Arabic text of document A/C.5/42/L.4 would be carefully reviewed in consultation with that country's delegation and a corrigendum issued if required.

AGENDA ITEM 122: PERSONNEL QUESTIONS (continued) (A/42/36; A/C.5/42/3, 7, 14 and 24)

36. Mr. LEWIS (Canada) expressed concern over the arrest or detention of United Nations officials in recent months, and drew attention to the case of Mr. Liviu Bota, who had been prevented by the Romanian Government from returning to his United Nations post in Geneva. If Romania did not reverse its position, Canada and other Member States would be compelled to formulate an appropriate response.

37. His country attached the highest priority to the improvement of the status of women in the Secretariat. The Organization's failure to live up to the provisions of the Charter concerning the equality of women merely played into the hands of its critics. While welcoming the progress that had been made in increasing the proportion of women in Professional posts, including at the senior levels, his delegation wondered why it should take so long to improve the status of women. Moreover, the increase in the proportion of women in posts subject to geographical distribution was largely due to attrition, appointments made as exceptions to the freeze and the transfer of posts to the United Nations Industrial Development Organization (UNIDO). Women still occupied only 8 or 9 per cent of the senior Professional posts. In that respect, the Organization was hardly a model for the rest of the world.

38. The recruitment freeze and retrenchment process made attainment of the goals set by the Secretary-General increasingly difficult. The proposal to extend the post of Co-ordinator for the Improvement of the Status of Women in the Secretariat was utterly incomprehensible. Efforts to improve the status of women would be continuing at least throughout the next biennium and it was unreasonable to expect the Co-ordinator to succeed in such a brief period of time in correcting a pattern that had taken 40 years to form. The plan to abolish the post of Co-ordinator in mid-1988 did not tally with the Secretary-General's decision to make the advancement of women a priority for the biennium.

39. The situation of women in the General Service category was unconscionable and incompatible with the Charter. The Organization was in danger of entrenching a

(Mr. Lewis, Canada)

kind of class system. The greatest flaw of the Secretary-General's action programme was its over-emphasis on the Professional category and relative neglect of the General Service. The recommendations of various working groups on General Service issues had not been implemented. Had the General Service category been predominantly male, those recommendations would undoubtedly have been implemented retroactively.

40. There was a need for a comprehensive review of the entire range of General Service issues. Fundamental reform was necessary in a number of specific areas. The first was the examination for promotion from the General Service to the Professional category, which placed too much weight on theoretical knowledge and too little on United Nations experience, and did not adequately test management or communications skills. In any case, it was absurd that career advancement should depend so heavily on a single test, whose usefulness was yet to be evaluated.

41. The limit imposed on the number of General Service staff who could be promoted to the Professional category violated Staff Regulation 4.4. That regulation required vacancies to be filled, as far as possible, from persons already in the service of the United Nations. A number of P-2 posts had been upgraded to the P-3 level thereby reducing the number of posts to which candidates from the General Service could aspire. Further, no action had been taken on the Secretary-General's proposal that General Service staff should be eligible to compete for P-3 posts. It had been argued that promoting too many General Service staff members would skew geographical distribution in the Professional category. A possible solution was to make the General Service subject to geographical distribution.

42. Another situation that called for reform was the grading of secretarial posts in the United Nations, which in many cases did not fairly reflect the functions performed by the Secretariat incumbents.

43. He knew of many cases in the Secretariat of preferential treatment of men who were no more qualified than women, and of superlative women employees who were prevented from advancing from the General Service. If those cases were ever reported in the press, the Organization would be deeply embarrassed. Injustices toward women in the General Service ran counter to United Nations resolutions on equality and to the Convention on the Elimination of All Forms of Discrimination against Women. The work that remained to be done in that area provided ample justification for extending the post of Co-ordinator for at least two more years.

44. The CHAIRMAN said that the Assistant Secretary-General for Human Resources Management had informed him that he would be interested in receiving details about the cases referred to by the representative of Canada.

The meeting rose at 12.55 p.m.