



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/777
16 December 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Agenda item 98

PERSONNEL QUESTIONS 1/

Report of the Fifth Committee

Rapporteur: Mr. Carl C. PEDERSEN (Canada)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 19 September 1980, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-fifth session the item entitled:

"Personnel questions:

"(a) Composition of the Secretariat: report of the Secretary General;

"(b) Other personnel questions: reports of the Secretary-General"

and to allocate it to the Fifth Committee.

2. The Committee considered the item at its 28th and 55th to 62nd meetings, from 31 October to 16 December 1980. The views expressed by delegations during the discussion are reflected in the relevant summary records (see A/C.5/35/SR.28 and 55-62).

1/ The following items were considered in conjunction with item 98:

(a) Financial reports and accounts, and reports of the Board of Auditors (item 90);

(b) Programme budget for the biennium 1980-1981 (item 91);

(c) Joint Inspection unit (item 95).

3. The Committee also considered under agenda item 98 the following documents:

(a) Third report of the Joint Inspection Unit on the implementation of the personnel policy reforms approved by the General Assembly in 1974 (A/35/418) and related comments by the Secretary-General (A/35/418/Add.1);

(b) Progress report of the Joint Inspection Unit on the status of women in the Professional category and above (A/35/182) and related comments of the Administrative Committee on Co-ordination (A/35/182/Add.1).

These documents had been submitted under items 95 (Joint Inspection Unit) and 98 (Personnel questions).

4. The Committee also considered under item 98 a letter dated 8 November 1980 on the administrative structure of the Secretariat from the Secretary-General to the Chairman of the Fifth Committee, submitted under items 90 (Financial reports and accounts, and reports of the Board of Auditors), 91 (Programme budget for the biennium 1980-1981) and 98 (Personnel questions).

5. At its 28th meeting, on 31 October 1980, the Committee decided to establish a Formal Working Group on Personnel Questions with the representative of Austria as Chairman. The Working Group held 15 closed meetings, between 5 November and 9 December 1980.

6. For its consideration of item 98 (a), the Committee had before it the following documents:

(a) Report of the Secretary-General on the composition of the Secretariat (A/35/528);

(b) Report of the Secretary-General, transmitting a list showing, by office, department and organizational unit, the names, functional titles, nationality and salary level of all staff members of the United Nations Secretariat as at 30 June 1980 (A/C.5/35/L.13);

(c) Interim report of the Secretary-General on the geographical distribution of Professional staff (A/C.5/35/7);

(d) Report of the Secretary-General on the geographical distribution of Professional staff (A/C.5/35/36).

7. For its consideration of item 98 (b), the Committee had before it the following documents:

(a) Report of the Secretary-General on the implementation of personnel policy reforms (A/C.5/35/10);

(b) Report of the Secretary-General on the participation of the United Nations staff in the consultative bodies within the United Nations system (A/C.5/35/16);

(c) Note by the Secretary-General transmitting the views of the staff representatives of the United Nations Secretariat (A/C.5/35/17);

(d) Report of the Secretary-General on the amendments made to the Staff Rules during the period from 1 July 1979 to 30 June 1980 (A/C.5/35/9).

II. CONSIDERATION OF PROPOSALS

8. At the 9th meeting, on 3 October 1980, the Chairman of the Committee indicated that the Committee had before it a draft decision (A/C.5/35/L.3), sponsored by the Federal Republic of Germany, which read as follows:

"The General Assembly,

"Requests the Secretary-General to review the question of reintroducing the term 'Controller' in the nomenclature of the United Nations Secretariat, taking into account the various functions of financial management and control in the United Nations, and to report thereon to the thirty-sixth session of the General Assembly."

9. At the 55th meeting, on 11 December, the representative of Austria, on behalf of the Formal Working Group of the Fifth Committee on Personnel Questions, introduced a draft resolution (A/C.5/35/L.37).

10. At the same meeting, the representative of Austria, on behalf of the Formal Working Group of the Fifth Committee on Personnel Questions, introduced a second draft resolution (A/C.5/35/L.37/Add.1).

11. At the 56th meeting, on 12 December, the Committee, on the proposal of its Chairman, decided, without objection, to recommend that the General Assembly should authorize the payment of travel and subsistence costs in respect of the members of the Committee of Experts envisaged in draft resolution A/C.5/35/L.37/Add.1 who were not stationed in New York (see para. 25, draft decision I). At the same meeting, the Committee decided, without objection, to adopt draft resolution A/C.5/35/L.37 (see para. 24, draft resolution I) and draft resolution A/C.5/35/L.37/Add.1 (see para. 24, draft resolution II).

12. At the 58th meeting, on 13 December, the representative of the Netherlands, on behalf of Australia, Canada, Denmark, Germany, Federal Republic of, Ghana, Japan, Mexico, the Netherlands, New Zealand, Portugal, Sierra Leone, Spain and the United States of America, introduced a draft resolution (A/C.5/35/L.49).

13. At the 59th meeting, on 15 December, the representative of the Netherlands, on behalf of the sponsors, introduced a revised version of the draft resolution (A/C.5/35/L.49/Rev.1). The revision consisted in the addition of new third and fourth preambular paragraphs.

14. At the same meeting, the representative of New Zealand, on behalf of Australia, Denmark, Finland, France, the Netherlands, New Zealand, Senegal, Sierra Leone and Sweden, subsequently joined by Portugal, introduced a draft resolution (A/C.5/35/L.44).

15. At the same meeting, the Committee adopted, without objection, draft resolution A/C.5/35/L.49/Rev.1 (see para. 24, draft resolution III).

16. At the same meeting, the Fifth Committee decided to recommend that the General Assembly should take note of the amendments to the Staff Rules reported in document A/C.5/35/9 (see para. 25, draft decision II).

17. At the 60th meeting, on 15 December, Gambia joined in sponsoring draft resolution A/C.5/35/L.44. At the same meeting, the Committee adopted the draft resolution by a recorded vote of 67 to 14, with 25 abstentions 2/ (see para. 24, draft resolution IV). The voting was as follows:

In favour: Algeria, Argentina, Australia, Austria, Barbados, Belgium, Brazil, Burundi, Canada, Central African Republic, Chile, China, Costa Rica, Denmark, Dominican Republic, Ecuador, Egypt, Finland, France, France, Gambia, Germany, Federal Republic of, Ghana, Greece, Grenada, Guatemala, Guyana, India, Indonesia, Ireland, Israel, Italy, Ivory Coast, Jamaica, Malawi, Mauritania, Mexico, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Peru, Philippines, Portugal, Senegal, Sierra Leone, Singapore, Somalia, Spain, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Zaire, Zambia.

Against: Afghanistan, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Czechoslovakia, Ethiopia, German Democratic Republic, Hungary, Japan, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Bahamas, Bahrain, Bangladesh, Colombia, Democratic Yemen, Equatorial Guinea, Guinea, Jordan, Kenya, Kuwait, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Morocco, Oman, Qatar, Romania, Rwanda, Saudi Arabia, Sudan, Syrian Arab Republic, United Republic of Tanzania, Yugoslavia.

18. Statements in explanation of vote before the vote were made by the Union of Soviet Socialist Republics, the Bahamas, India, Mauritania, the United States of America, the German Democratic Republic, the United Republic of Cameroon, Hungary, Japan, the Libyan Arab Jamahiriya, Morocco, Mali, the Upper Volta, Benin, Algeria, the Syrian Arab Republic, Pakistan and Canada. Statements in explanation of vote after the vote were made by Brazil, Egypt, the United Kingdom of Great Britain and Northern Ireland, Nigeria, Somalia and Ethiopia.

2/ After the vote, the representative of the United Arab Emirates states that, had its delegation participated in the vote, it would have abstained.

/...

19. At the 62nd meeting, on 16 December, the representative of the United States of America, on behalf of Canada, Spain, the United States of America and the Upper Volta, introduced a draft resolution (A/C.5/35/L.35), which read as follows:

"The General Assembly,

"Recalling resolutions 33/10 of 3 November 1978 and 34/233, section III, of 20 December 1979, which endorsed the Board of Auditors proposals for improving United Nations financial management and control systems, especially proposals that would strengthen the role of the Controller, so as to enable him to provide functional leadership, guidance and central direction to all United Nations financial functions,

"Further recalling its decision taken at the twenty-second session (resolution 2369 (XXII)), in which it endorsed the separation of the authority and responsibilities of the Under-Secretary-General for Administration and Management from the day-to-day financial tasks performed by the Controller,

"Bearing in mind the comments and observations made by Member States at the thirty-fifth session of the Assembly,

"1. Reaffirms its desire to strengthen United Nations financial management;

"2. Requests the Secretary-General to continue to maintain the use of the title and the functions of the Controller in connexion with the Assistant Secretary-General for Financial Services."

20. At the same meeting, the representative of the Federal Republic of Germany introduced a draft decision (A/C.5/35/L.3/Rev.1).

21. At the same meeting, the Committee adopted draft decision A/C.5/35/L.3/Rev.1 by a recorded vote of 45 to 7, with 41 abstentions (see para. 25, draft decision III). The voting was as follows:

In favour: Afghanistan, Argentina, Australia, Austria, Bahamas, Belgium, Brazil, Byelorussian Soviet Socialist Republic, Colombia, Cuba, Czechoslovakia, Denmark, Ecuador, Finland, France, German Democratic Republic, Germany, Federal Republic of, Greece, Guyana, Hungary, Ireland, Israel, Italy, Mali, Mauritania, Mexico, Mongolia, Netherlands, New Zealand, Norway, Pakistan, Peru, Poland, Romania, Senegal, Somalia, Swaziland, Sweden, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, Uruguay, Venezuela.

Against: Canada, Panama, Portugal, Spain, United Republic of Tanzania, United States of America, Upper Volta.

Abstaining: Algeria, Bahrain, Bangladesh, Benin, Burundi, Central African Republic, China, Congo, Egypt, Ethiopia, Ghana, Guinea, India, Indonesia, Ivory Coast, Japan, Kenya, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Morocco, Mozambique, Niger, Nigeria, Oman, Rwanda, Saudi Arabia, Sierra Leone, Singapore, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Yugoslavia, Zaire, Zambia.

22. In view of the adoption of draft decision A/C.5/35/L.3/Rev.1, draft resolution A/C.5/35/L.35 was not put to the vote.

23. Statements in explanation of vote before the vote were made by Colombia, Indonesia, Egypt, the United Republic of Cameroon, Sierra Leone, Yugoslavia, the Libyan Arab Jamahiriya, Panama, Peru, the Bahamas, Senegal, Pakistan, the United Republic of Tanzania, Rwanda, Algeria, Nigeria, Canada, Mauritania, Tunisia and Mali.

III. RECOMMENDATIONS OF THE FIFTH COMMITTEE

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

DRAFT RESOLUTION I

Personnel questions

The General Assembly,

Conscious of the importance that Member States attach to the personnel questions of the Organization,

Recalling the personnel policy and policy reform measures set out in its resolutions 1436 (XIV) of 5 December 1959, 31/26 of 29 November 1976, 32/17 of 11 November 1977, 33/143 of 20 December 1978 and 34/219 of 20 December 1979,

Having examined the reports of the Secretary-General on the composition of the Secretariat and personnel policy reforms, 3/

Taking note of the reports of the Joint Inspection Unit on the implementation of the personnel policy reforms and on the status of women in the Professional category and above in the United Nations system, 4/

Concerned about the limited progress achieved in the establishment of a coherent personnel policy, as well as in the implementation of the measures set out in the above-mentioned resolutions,

Noting the suggestions made by Member States during the deliberations of the Fifth Committee on this question at the thirty-fifth session,

Convinced that the effective and consistent implementation of the personnel policy and policy reform measures adopted by the General Assembly requires an integrated approach to the personnel management requirements of the Organization,

Reaffirming that, as set out in Article 101, paragraph 3, of the Charter of the United Nations, the paramount consideration in the employment of staff at every level is the need for the highest standards of efficiency, competence and integrity, and convinced that this is compatible with the principle of equitable geographical distribution,

Recalling Article 8 of the Charter on the equality of opportunity for men and women to participate in the work of the Organization,

3/ A/35/528, A/C.5/35/10.

4/ A/35/418, A/35/182.

I

1. Requests the Secretary-General to continue establishing a target of 40 per cent of all vacancies arising in Professional posts subject to geographical distribution during the period 1981-1982 for the appointment of nationals of unrepresented and under-represented countries, in order to ensure that all such countries achieve their desirable ranges during that biennium, while ensuring that the representation of countries which are within desirable ranges does not decrease;
2. Requests the Secretary-General to establish and pursue an active recruitment policy in order to raise the levels of personnel recruited from unrepresented and under-represented countries and countries below the midpoint of their desirable ranges to the extent possible towards this midpoint;
3. Reaffirms that no post should be considered the exclusive preserve of any Member State, or group of States, and requests the Secretary-General to ensure that this principle is applied faithfully in accordance with the principle of equitable geographical distribution;
4. Requests the Secretary-General to continue to permit replacement by candidates of the same nationality within a reasonable time-frame in respect of posts held by staff members on fixed-term contracts, whenever this is necessary, to ensure that the representation of Member States whose nationals serve primarily on fixed-term contracts is not adversely affected;
5. Reaffirms the need to increase the representation of developing countries in senior and policy-formulating posts, while safeguarding the principle of equitable geographical distribution in accordance with the relevant resolutions of the General Assembly;
6. Reaffirms the need to apply the regulations regarding the age of retirement and not to grant exceptions beyond six months after the established age of retirement;

II

Having considered the report of the Secretary-General on the geographical distribution of Professional staff in the Secretariat, 5/

1. Requests the Secretary-General to calculate new desirable ranges for all Member States, to apply from 1 January 1981, on the basis of the following initial criteria:
 - (a) The base figure for the calculations will be 3,350 posts;

5/ A/C.5/35/36.

(b) The membership factor will be based on 7.75 as the midpoint of the minimum desirable range;

(c) The population factor, to which 240 posts shall be allocated, will be directly related to the populations of the various regions and be distributed among the regions in proportion to their populations;

(d) The contribution factor will be based on the distribution of the remaining posts in proportion to the scale of assessments;

(e) The upper and lower limits of each range will be based on a flexibility of 15 per cent up or down from the midpoint but not less than 5.75 posts up or down;

2. Decides that, in future, 10 out of every additional 100 posts shall be added to the population factor, and the remaining posts shall be assigned equally to the membership and contribution factors;

3. Decides further to review at its forty-first session the question of desirable ranges, taking into account the concept of parity between the membership and contribution factors and discussions on this concept at the thirty-fifth session;

III

Conscious of the need to define objective methods of recruitment in order to ensure the full implementation of the relevant General Assembly resolutions,

Requests the Secretary-General to implement the procedures and mechanisms for recruitment and appointment described in the annex to the present resolution and to report to the General Assembly annually on their implementation,

IV

Recalling its resolution 1436 (XIV) of 5 December 1959, in which it recommended, inter alia, that the Secretary-General's endeavours to increase the number of the Secretariat staff appointed on fixed-term contracts should be continued and encouraged,

Noting the growing tendency to increase the number of fixed-term appointments of staff in various organizations of the United Nations system,

Concerned about the limited progress in the establishment of a policy of career development,

Aware of the divergent views on such matters as various concepts of career, types of appointments and career development expressed, inter alia, in the reports of the Joint Inspection Unit and the International Civil Service Commission,

Recognizing the need to study further those matters and their impact on the

implementation of Article 101 of the Charter of the United Nations and personnel policy reforms,

1. Requests the International Civil Service Commission and the Joint Inspection Unit to study further the subjects of the concepts of career, types of appointment, career development and related questions and to report separately thereon to the General Assembly at its thirty-sixth session;

2. Invites the International Civil Service Commission and the Joint Inspection Unit to co-operate in the drafting of these two reports;

V

Taking note of resolution 24 adopted by the World Conference of the United Nations Decade for Women and the report of the Joint Inspection Unit on the status of women in the Professional category and above, 6/

Expressing deep concern at the lack of progress in increasing the proportion of women in the Secretariat,

1. Requests the Secretary-General to continue to take the necessary measures to implement fully the provisions of section III of General Assembly resolution 33/143;

2. Calls upon Member States to continue their endeavours to assist the United Nations and the specialized agencies to increase the proportion of women in the Professional category and above, inter alia, by nominating more women candidates;

3. Further calls upon the Secretary-General and the heads of all organizations of the United Nations system to end all forms of discrimination based upon sex in recruitment, conditions of employment, assignment, training and promotion;

4. Requests the Secretary-General and the heads of all organizations of the United Nations system, in pursuit of these objectives:

(a) To increase the proportion of women, particularly at the senior levels, in accordance with the principle of equitable geographical distribution, and on personnel, advisory and administrative boards, so as to meet the target set in General Assembly resolution 34/143 and the above-mentioned resolution 24 of the World Conference of the United Nations Decade for Women;

(b) To amend staff rules which inhibit the employment of spouses in the same organization or duty station and to extend the practice of part-time employment and flexible working hours as soon as possible;

- (c) To ensure that staff members employed in United Nations organizations are not subject to sexual harassment in or in connexion with their place of work;
- (d) To ensure further that women employed in the organizations of the United Nations system are not discriminated against because of their sex;
- (e) To intensify efforts to eliminate prejudices and other factors which work against the recognition of women's capabilities and the improvement of their status within organizations of the United Nations system;
5. Requests the Secretary-General and the heads of all other organizations of the United Nations system to examine additional measures that will advance the attainment of the policy directives concerning the appointment, promotion and assignment of women in the secretariats, including the possibility of designating a senior official to co-ordinate these functions;
6. Requests the Joint Inspection Unit to continue to monitor developments and to report to the General Assembly not later than at its thirty-seventh session;
7. Requests the Secretary-General, in his capacity as Chairman of the Administrative Committee on Co-ordination, to report to the General Assembly, at its thirty-sixth session, on progress made in the organizations of the United Nations system in the recruitment, conditions of employment, career development and promotion of women in the Professional category and above;

VI

1. Decides that the application of the provision of General Assembly resolutions dealing with mandatory retirement at the age of 60 shall not be rigorously applied to locally-recruited General Service staff who were already employed by the Organization prior to December 1978 and will have less than 20 years' contributory service in the United Nations Joint Staff Pension Fund at the age of 60;
2. Takes note of the work of the Panel to Investigate Allegations of Discriminatory Treatment in the United Nations Secretariat and requests the Secretary-General to continue to provide the Panel with the necessary facilities for its activities;
3. Reiterates its request to the Secretary-General that Professional staff of the United Nations should be encouraged to work at more than one duty station and that satisfactory performance during such tours of duty should be considered an additional positive factor in evaluating them for promotion.

ANNEX

Recruitment procedures for posts subject to geographical
distribution in the United Nations Secretariat

I. BASIC PRELIMINARY REQUIREMENTS

1. All posts shall be classified at each level of grades by occupation, this concept meaning "posts having largely comparable functions and the same entrance level qualifications". This classification shall be published.
2. Distinction shall be made between:
 - (a) Occupations for which it is reasonable to expect several vacancies each year;
 - (b) Those for which recruitment will be open only at widely spaced intervals.
3. For posts falling under category 2 (a), job descriptions shall be complemented by an "occupational description", which will outline the main functions, the minimum level of qualifications and the desirable supplementary qualifications.
4. The vacancy announcement for all posts shall incorporate the existing job description. All changes in existing job descriptions and the content of job description of new posts shall be submitted for approval to the Office of Personnel Services, justified by references to changes in programmes approved by intergovernmental bodies.
5. All pending departures of staff shall be made known to the Office of Personnel Services by the substantive departments as far in advance as possible of the actual departure date.
6. No prior commitments for appointments shall be made by the substantive departments.
7. In order to increase the number of candidates from unrepresented and under-represented countries and of women candidates:
 - (a) Timely and frequent publicity shall be made regarding vacancies and recruitment of personnel, in co-operation with Member States, through information media, United Nations offices, universities and professional organizations, including women's organizations whenever appropriate (so as to enable the Office of Personnel Services to implement the personnel and recruitment policies adopted by Member States of the Organization);
 - (b) Regular recruitment missions composed of officials from both the Office of Personnel Services and the substantive departments shall be sent.

II. ANNUAL WORK PLAN OF RECRUITMENT

8. In order to facilitate the search for and the appointment of qualified candidates, particularly from unrepresented and under-represented countries and from among women, an annual work plan of recruitment shall be established. The plan shall indicate:

- (a) General data on the estimated number of recruitments by grade and broad occupational groups;
- (b) The targets to be reached during the year as to the number of candidates to be recruited from unrepresented and under-represented countries and among women, in accordance with the targets established by the relevant General Assembly resolutions;
- (c) The various means by which recruitment will be undertaken, such as competitive examinations, publicity or recruitment missions.

9. The Secretary-General will report to the General Assembly each year on the implementation of the plan.

III. USE OF COMPETITIVE METHODS AT THE P-1 AND P-2 LEVELS

10. At the P-1 and P-2 levels, recruitment shall be made as a rule through competitive examinations. This principle shall be applied as follows:

(a) Movement of staff from the General Service category to the Professional category shall continue to be limited to 30 per cent of the total number of posts available for appointment at each level and is to be regulated exclusively through competitive examinations under the conditions outlined in section I, paragraph 1 (g) and (i), of General Assembly resolution 33/143. No exceptions shall be authorized.

(b) For the remaining 70 per cent of posts at the P-1 and P-2 levels, a transitional plan ending 31 December 1982 shall be established for applying progressively the method of competitive examination, with due regard paid to the principle of equitable geographical distribution.

(c) These competitive examinations will be devised on a national basis, in consultation with the Governments concerned. They shall contain measures to protect the confidentiality and objectivity of the methods of selection and to ensure that the methods of testing take into account the cultural and linguistic diversity of the membership of the United Nations. They shall be geared to candidates with at least a first-level university degree. The examinations should be based on written tests in one of the official languages of the United Nations, including a general test, specialized examination by occupational groups and personal interview. They may be organized simultaneously by groups of countries, but a given number of vacancies should be defined and offered to each country in advance, taking into account the geographical representation of each Member State. A reserve list shall be established from which all P-1 and P-2 posts will be filled.

IV. METHODS OF RECRUITMENT AT THE P-3 LEVEL AND ABOVE

11. The list of occupations for which it is reasonable to expect several vacancies each year, as stated in section I, paragraph 2 (a), above, shall be communicated to Member States, together with the corresponding "occupation description" not later than 1 October of the preceding year, and applications for candidatures shall be requested on this basis.

12. Vacancy announcements for all posts shall be issued without delay as soon as vacancies are known.

13. All applications received from candidates meeting the minimum standards established by the Office of Personnel Services for posts and occupations shall be put into the roster of external candidates. This roster shall be modernized rapidly and rendered operable and efficient. A roster of internal candidates should be developed and organized along the same lines and used in accordance with existing staff regulations and rules.

14. For each post open to recruitment a dossier will be established comprising:

- (a) A list of all potential qualified candidates, indicating name, nationality, sex, age and qualifications; this list will be drawn from the roster;
- (b) Their ranking by order of preference established by the substantive department concerned in consultation with the Office of Personnel Services;
- (c) A summary of the interviews of the candidates considered most suitable.

This dossier shall be made available to the Appointment and Promotion Committee and Board.

15. For these evaluations, the Office of Personnel Services, in consultation with the substantive departments concerned, will take into account the targets indicated in the annual recruitment work plan.

16. If the substantive department and the Office of Personnel Services agree on the selection of one candidate, this recommended candidate will be proposed for appointment, in accordance with existing staff regulations and rules. If there is no agreement, the matter will be submitted for advice to the Appointment and Promotion Committee and Board. If no solution is found, the Secretary-General or his designated representative will take the final decision.

17. The qualifications, nationality and sex of selected candidates will be indicated on a list to be published twice a year and communicated to the delegations of Member States.

DRAFT RESOLUTION II

Establishment of a committee of governmental experts
to evaluate the present structure of the Secretariat
in the administrative, finance and personnel areas

The General Assembly,

Taking note of the letter dated 8 November 1980 from the Secretary-General to the Chairman of the Fifth Committee, 7/ in which he indicated that a committee of experts should be established to evaluate the present administrative structure of the Secretariat,

1. Decides, as an exception to its resolution 35/5 of 21 October 1980, to establish a Committee of Governmental Experts to Evaluate the Present Structure of the Secretariat in the Administrative, Finance and Personnel Areas, which should submit a report prior to the thirty-sixth session of the General Assembly;

2. Requests the Secretary-General to appoint seventeen experts through consultations with regional groups and with due regard to equitable geographical distribution;

3. Requests the Committee to take fully into account the views expressed during the discussions of the relevant items on the agenda of the Fifth Committee at the thirty-fifth session of the General Assembly;

4. Requests the Secretary-General, pending and without prejudice to the decision to be taken by the General Assembly during its thirty-sixth session on the above-mentioned report, to take such interim measures, within the existing administrative structure, as to ensure that the Office of Personnel Services has the authority necessary to implement effectively the personnel policies outlined in the relevant resolutions of the Assembly.

DRAFT RESOLUTION III

Respect of the privileges and immunities of officials of
the United Nations and the specialized agencies

The General Assembly,

Taking note of the statement by the Administrative Committee on Co-ordination in the annex to its annual overview report for 1979/80, 8/

7/ A/C.5/35/48.

8/ E/1980/34.

Mindful of Article 100 of the Charter of the United Nations, under which each Member State has undertaken to respect the exclusively international character of responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities,

Mindful also that under the same Article of the Charter the Secretary-General and the staff shall not, in the performance of their duties, seek or receive instructions from any Government or from any other authority external to the Organization,

Reaffirming the relevant Staff Regulations,

Aware of the absolute necessity that staff members be enabled to discharge their tasks as assigned to them by the Secretary-General without interference on the part of any Member State or any other authority external to the Organization,

Recalling that, under Article 105 of the Charter, officials of the Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the independent exercise of their functions in connexion with the Organization, which is indispensable for a proper discharge of their duties,

Realizing that staff members of the specialized agencies enjoy similar privileges and immunities,

Mindful of the Convention on Privileges and Immunities of the United Nations of 13 February 1946 9/ and of the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947, 10/

Concerned about reports alleging that privileges and immunities of officials of these organizations have been encroached upon,

1. Appeals to all Member States to respect the privileges and immunities accorded to officials of the United Nations and the specialized agencies by the Convention on the Privileges and Immunities of 13 February 1946 and of the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947;
2. Requests the Secretary-General to bring the present resolution to the attention of all organs, organizations and bodies of the United Nations system with the request to furnish information on cases in which there are clear indications that the status of the staff members of such organizations has not been fully respected;
3. Requests the Secretary-General to submit, on behalf of the Administrative Committee on Co-ordination, a report to the General Assembly containing any cases in which the international status of the staff members of the Organization or of the specialized agencies has not fully been respected.

9/ Resolution 22 A (I).

10/ Resolution 179 (II).

DRAFT RESOLUTION IV

Access by staff representatives to the Fifth Committee

The General Assembly,

Recalling its resolution 34/220 of 20 December 1979,

1. Reaffirms the responsibility and authority of the Secretary-General as the Chief Administrative Officer of the United Nations under Article 97 of the Charter of the United Nations;
2. Reiterates its readiness:
 - (a) To receive and consider fully the views of the staff as set out by a single recognized representative of the staff of the United Nations Secretariat in a document submitted through the Secretary-General under the agenda item entitled "Personnel questions";
 - (b) To receive and consider fully the views of the staff as set out by a designated representative of the Federation of International Civil Servants Association in a document submitted through the Secretary-General under the agenda item entitled "Report of the International Civil Service Commission";
3. Decides that, to assist its deliberations, the Fifth Committee may, if considered desirable, invite:
 - (a) A single recognized representative of the staff of the United Nations Secretariat to make an oral presentation to the Committee to introduce, at the beginning of the Committee's consideration of the relevant agenda item, the document referred to under paragraph 2 (a) above;
 - (b) A designated representative of the Federation of International Civil Servants Association to make an oral presentation to the Committee to introduce, at the beginning of the Committee's consideration of the relevant agenda item, the document referred to under paragraph 2 (b) above;
4. Notes that the statements referred to in paragraph 3 (a) and (b) above would be made from the floor of the conference room;
5. Notes further that if any questions are posed by members of the Fifth Committee in response to the statements referred to under paragraph 3 (a) and (b) above they could be answered in writing by the representative of the staff of the United Nations Secretariat or of the Federation of International Civil Servants Association as appropriate, in a single supplementary document submitted through the Secretary-General.

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25. The Fifth Committee also recommends to the General Assembly the adoption of the following draft decisions:

DRAFT DECISION I

Payment of travel and subsistence costs

The General Assembly decides to authorize the payment of travel and subsistence costs in respect of the members of the Committee of Governmental Experts to Evaluate the Present Structure of the Secretariat in the Administrative, Finance and Personnel Areas established by resolution 35/___ of 17 December 1980 11/ who are not stationed in New York.

DRAFT DECISION II

Amendments to the Staff Rules

The General Assembly takes note of the amendments to the Staff Rules, contained in the report of the Secretary-General. 12/

DRAFT DECISION III

Use of the term "Controller" in the nomenclature of the Secretariat

The General Assembly decides to request the Committee of Governmental Experts to Evaluate the Present Structure of the Secretariat in the Administrative, Finance and Personnel Areas, established under its resolution 35/___ of 17 December 1980, 11/ to include in its review the question of using the term "Controller" in the nomenclature of the Secretariat, taking into account the various functions of financial management and control in the United Nations, and to report thereon to the Assembly at its thirty-sixth session.

11/ See draft resolution IV above.

12/ A/C.5/35/9.