

**General Assembly**

Fifty-second session

Official Records

Distr.: General
17 June 1998

Original: English

Fifth Committee**Summary record of the 65th meeting**

Held at Headquarters, New York, on Wednesday, 20 May 1998, at 10 a.m.

Chairman: Ms. Incera (Vice-Chairman) (Costa Rica)
*Chairman of the Advisory Committee on Administrative
and Budgetary Questions:* Mr. Mselle

ContentsAgenda item 17: Appointments to fill vacancies in subsidiary organs and other appointments (*continued*)

- (a) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions (*continued*)
- (b) Appointment of members of the Committee on Contributions (*continued*)

Agenda item 142: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

- (a) Financing of the United Nations peacekeeping operations (*continued*)

Agenda item 114: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

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In the absence of Mr. Chowdhury (Bangladesh), Ms. Incera (Costa Rica) took the Chair.

The meeting was called to order at 10.15 a.m.

Agenda item 17: Appointments to fill vacancies in subsidiary organs and other appointments (*continued*) (A/C.5/52/1/Add.5)

(a) **Appointment of members of the Advisory Committee on Administrative and Budgetary Questions** (*continued*) (A/52/101/Rev.1/Add.1; A/C.5/52/5/Add.1)

1. **The Chairman** drew attention to document A/52/101/Rev.1/Add.1 whereby the Secretary-General informed the General Assembly that he had received notification of the resignation of Mr. José Antônio Marcondes de Carvalho (Brazil) from the Advisory Committee on Administrative and Budgetary Questions, and requested the General Assembly to appoint a person to fill the remainder of the term of office of Mr. Marcondes de Carvalho, which would expire on 31 December 1998. In document A/C.5/52/5/Add.1, the Secretary-General informed the General Assembly that the Government of Brazil had nominated Mr. Pedro Paulo d'Escagnolle-Taunay to fill the unexpired portion of the term of office of Mr. Marcondes de Carvalho.

2. She took it that the Committee wished to recommend to the General Assembly the appointment of Mr. Pedro Paulo d'Escagnolle-Taunay (Brazil) as a member of the Advisory Committee on Administrative and Budgetary Questions for a term of office beginning on the date on which the General Assembly approved the appointment until 31 December 1998.

3. *It was so decided.*

(b) **Appointment of members of the Committee on Contributions** (*continued*) (A/52/102/Rev.1/Add.1; A/C.5/52/6/Add.1)

4. **The Chairman** drew attention to document A/52/102/Rev.1/Add.1, whereby the Secretary-General informed the General Assembly that he had received notification of the resignation of Mr. Evgueni N. Deineko (Russian Federation) from the Committee on Contributions and requested the General Assembly to appoint a person to fill the remainder of Mr. Deineko's term of office, which would expire on 31 December 1999. In document A/C.5/52/6/Add.1, the Secretary-General informed the General Assembly that the Government of the Russian

Federation had nominated Mr. Sergei I. Mareyev to fill the unexpired portion of Mr. Deineko's term of office.

5. She took it that the Committee wished to recommend to the General Assembly the appointment of Mr. Sergei I. Mareyev (Russian Federation) as a member of the Committee on Contributions, for a term of office beginning on the date on which the General Assembly approved the appointment until 31 December 1999.

6. *It was so decided.*

7. **Ms. Shearouse** (United States of America), speaking as Chairman of the United Nations Staff Pension Committee and referring to agenda item 17 (g), said that the Fifth Committee was scheduled to appoint the eighth and final member of that Committee on 29 May 1998. She understood that there were currently no nominations. While the vacant position would normally be filled by a member of the Group of Asian States, it could be filled by a representative of any Member State. Since the General Assembly was the governing body responsible for the United Nations Joint Staff Pension Fund, it would be regrettable for its representation at the July session of the United Nations Joint Staff Pension Board to be incomplete. She strongly urged the Group of Asian States to nominate a candidate for appointment to the United Nations Staff Pension Committee. Should that not be feasible, she suggested that the Committee should appoint a member from one of the other regional groups.

Agenda item 142: Administrative and budgetary aspects of the financing of United Nations peacekeeping operations (*continued*)

(a) **Financing of the United Nations peacekeeping operations** (*continued*) (A/51/965, A/52/30, A/52/837 and Corr. 1, A/52/838 and A/52/892; A/C.5/51/52/Rev.1)

Agenda item 114: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*) (A/52/698, A/52/709 and Corr.1, A/52/710, A/52/823 and A/52/890; A/C.5/52/43 and A/C.5/52/51)

8. **Mr. Bista** (Nepal) said that, in view of Nepal's firm commitment to United Nations peacekeeping activities, both at Headquarters and in the field, his delegation fully aligned itself with the statement made at the previous meeting by the representative of Indonesia on behalf of the Group of 77 and China.

9. His delegation had already explained its position on the issues of the support account and gratis personnel. It

welcomed the proposals made by the Secretary-General. While it agreed in principle that the Secretary-General should strive to make use of other sources of financing, it believed that his proposals concerning the support account should be endorsed so that he would be able to fulfil his mandates in carrying out peacekeeping activities through mechanisms such as the Rapidly Deployable Mission Headquarters (RDMHQ), which was at the core of the stand-by system and should be made operational at the earliest possible date. His Government had already signed an agreement with the United Nations for stand-by arrangements and would like to see it made operational.

10. **Mr. Zhang Wanhai** (China) said that all mandated United Nations activities must be adequately staffed and funded, and that funding for activities related to peacekeeping operations, including backstopping by the Secretariat, should be assured. The use of gratis personnel was not in keeping with United Nations regulations since it affected geographical balance, particularly in the Department of Peacekeeping Operations. Such personnel should be phased out in accordance with the General Assembly's resolutions on the subject. His delegation could agree to appropriate increases in backstopping posts to offset the effect of such reductions.

11. The support account was being used over and above the level originally foreseen. The Secretary-General's report (A/52/837, para. 32) seemed to point to a direct linkage between the backstopping workload at Headquarters and the number of active peacekeeping operations. Since 1990, the number of peacekeeping operations had increased 2.75 times; the support-account resources requested for the period from 1 July 1998 to 30 June 1999 were, however, 9.8 times their 1990 level. The support account had been established to fund temporary Secretariat posts for the backstopping of peacekeeping operations. In recent years, however, it had been used to fund not only personnel who were directly involved in peacekeeping operations, but also those who were only indirectly involved, and to fund regular-budget as well as temporary posts. Unless that serious situation was remedied, the resource requirements of the support account would continue to increase.

12. His delegation was also concerned about the overly long process of mission liquidation. Although it understood the difficulty of accurately forecasting when significant work in respect of closed missions would cease, it did not feel that that was an excuse for failing to set a limit on the duration of mission liquidation. He asked for more information on the major factors affecting liquidation processes and on the measures taken by the Secretariat in that regard. He also asked for an estimate of when the missions which had completed their official mandates would come to a close.

13. The Secretary-General's report on the important issue of the support account had not become available to delegations until 6 May, despite the decision by the General Assembly, in resolution 51/239 A, paragraph 3, that the report should be submitted no later than 31 March 1998. The delay had prevented Member States from undertaking an in-depth study of the document as early as possible. He reiterated his delegation's question as to when each stage of production of the document (drafting, translation, printing and distribution) had begun and ended, so that Member States could know the real reasons for the delay.

14. **Ms. Buergo Rodriguez** (Cuba) said that her delegation's general position was in line with that expressed by the representative of Indonesia on behalf of the Group of 77 and China at the previous meeting.

15. Her Government believed that General Assembly resolution 51/243 must be fully implemented and that the gratis personnel currently working in the Department of Peacekeeping Operations should be phased out by 31 December 1998. The General Assembly must therefore provide that Department with the necessary human and financial resources to carry out its activities. Her Government was prepared to approve the conversion of the number of posts necessary to maintain the capacity of the Organization in that sphere and to allow the main bodies concerned to fulfil their mandates. The Secretariat must provide the additional information requested by the Group of 77 so as to facilitate the adoption of the necessary decisions; those decisions should be adopted at the current session on the basis of a detailed analysis of the justifications provided by the Secretariat for the posts to be established or converted. That procedure should be treated as a matter of priority so that the recruitment process could begin immediately, on the basis of the principles of equitable geographical distribution and efficiency, competence and integrity, and on the relevant provisions of paragraph 26 of General Assembly resolution 51/226. Her delegation was surprised that the Secretariat was proposing the establishment of eight new posts for RDMHQ, since from the outset its activities were to have been financed by voluntary contributions. It was disturbed by the trend to finance from assessed contributions certain activities which had been promoted by only one group of countries and which, from the beginning, were to have been financed from extrabudgetary resources. Such a change in the method of financing was unacceptable.

16. Her delegation believed that the functions of the Department of Peacekeeping Operations and of the Department of Political Affairs should be merged so as to avoid duplication and overlap while generating economies of scale. The Secretary-General should provide a full in-depth

analysis at the fifty-third session so that the necessary policy measures could be adopted.

17. The irregularities in the mechanisms for the acceptance of gratis personnel were a matter of great political sensitivity and concern for all Member States. The General Assembly must ensure the strict implementation of resolution 51/243. Her delegation took note with concern of paragraphs 3 and 4 of the report of the Advisory Committee on Administrative and Budgetary Questions (A/52/890), which suggested that the criteria for the acceptance of gratis personnel were being relaxed or disregarded. Furthermore, there was no justification for the delays in the recruitment of personnel.

18. With regard to the revised guidelines for type II gratis personnel, her delegation welcomed the assurances that such personnel would be accepted only from Member States, and it believed that a provision to that effect should be included in the resolution to be adopted. As to the methodology to be used for the application of administrative support costs, her delegation reiterated the principle that no administrative support costs should be charged to the regular budget, in accordance with financial regulation 7.2.

19. Her delegation was concerned about the information on gratis personnel in the Department of Peacekeeping Operations which had been provided. It supported paragraph 17 of the Advisory Committee's report (A/52/890) and hoped that it would be possible to phase out gratis personnel by the end of 1998.

20. With regard to paragraph 13 of the Advisory Committee's report (A/52/890), her delegation requested information on the functions performed by gratis personnel in the United Nations Special Commission and their nationality and, in particular, the reasons for their reclassification as type I.

21. In accordance with General Assembly resolution 51/243, the Secretary-General should continue to submit quarterly reports on gratis personnel. The tables provided should contain information broken down by department, nationality and length of service of each person, and should indicate the functions carried out. Her delegation hoped that the elimination of gratis personnel would be completed by 31 December 1998.

22. **Ms. Siti Hajjar** (Malaysia) said that her delegation supported the statement made at the previous meeting by the representative of Indonesia on behalf of the Group of 77 and China. It looked forward to the expeditious and successful completion of the phasing out of gratis personnel, which should be properly planned so as not to jeopardize the ability of the relevant departments to carry out their mandated

functions. Her delegation therefore urged the Secretariat to take early, effective measures to expedite the recruitment process on a broad geographical basis in order to replace the gratis personnel, and to incorporate into the phase-out plan detailed transitional arrangements so as to minimize disruption, loss of continuity and loss of expertise. It was to be hoped that, with the phasing out of gratis personnel, the issue of geographical balance in some parts of the Secretariat, especially the Department of Peacekeeping Operations and other sensitive areas, could finally be put in order.

23. **Mr. Mirmohammad** (Islamic Republic of Iran) said that his delegation's position was in line with that expressed by the representative of Indonesia, on behalf of the Group of 77 and China, at the previous meeting. His delegation fully subscribed to the four issues raised by the representative of India and awaited answers to them. With regard to the new posts proposed by the Secretariat for RDMHQ, his delegation was not convinced that they should be funded from the support account.

24. **Mr. Halbwachs** (Controller) said, with regard to the delay in the provision of documentation, that, although the report on the support account for peacekeeping operations had been submitted on 20 March 1998, there had not been sufficient time for translation and reproduction by 30 March because of the heavy workload of the services concerned.

25. The reason for the high vacancy rate in the Department of Peacekeeping Operations was not that posts had been deliberately blocked, but that recruitment took a long time. At the time of submission of the report, there had been 18 vacancies in the Department; there were now 14 vacancies, for which recruitment was under way. A few other posts were vacant pending the return of staff who had gone on mission. He could assure the Committee that no posts had been kept vacant so that gratis personnel could be used. The Advisory Committee's recommendation that the vacancy factor in the next budget should be increased from 5 to 8 per cent meant that, when budgeting for posts, the Secretariat would provide for 92 per cent of the estimated cost of each post instead of 95 per cent. That was a budgetary technique which would not impose any restriction on the Secretariat in terms of recruitment. According to his records, all the information requested by the Advisory Committee had been provided.

26. On the question of how it had been determined that 36 posts in the Department of Peacekeeping Operations would need to be filled by officers in active military or police service, he said that the determination had emerged from the post-by-post review which had taken place in that Department; the functions required of those posts were

deemed to be such that they could only be filled by officers in active military or police service.

27. Written information would be provided on the question of core responsibilities in the Department of Peacekeeping Operations. In that connection, he recalled that, in paragraph 14 of his report to the General Assembly at its forty-ninth session (A/49/717), the Secretary-General had defined core functions as those associated with the management of key policy issues and organizational performance, strategic planning and start-up capacity. The Secretary-General believed that the number of core posts required for peacekeeping operations, including minimum start-up capacity, was about 88, including 74 for the Department of Peacekeeping Operations. The Advisory Committee had expressed the view that any attempt to define core and non-core posts might lead to a time-consuming debate.

28. On the question of the funding of core posts under the regular budget, the Secretary-General had proposed that, in the programme budget for the biennium 1996-1997, a number of posts funded from the support account should be moved to the regular budget, but the General Assembly had not approved that proposal.

29. On the question of potential overlap between the Department of Peacekeeping Operations and the Department of Political Affairs, he said that the Department of Political Affairs was involved in political advocacy while the Department of Peacekeeping Operations was involved in operational functions.

30. The decrease in the dollar value of peacekeeping operations from \$3.5 billion in 1994 to \$800 million had had an impact on the workload; the number of posts financed from the support account had been reduced from 408 in 1996 to 346 at the current time.

31. With regard to the potential overlap between the Department of Peacekeeping Operations and the Office of the Controller in terms of the processing of claims, the roles of the two offices were distinct and reflected the separation of the certifying and approving functions, which was at the core of financial control.

32. With regard to the request made by the representative of the United States of America, he said that the Secretariat had provided information in annexes I and II to the report (A/52/837), and information was provided in a different format in the regular budget document. An analysis which included all the entities which directly and indirectly supported peacekeeping would be a monumental task requiring the presentation of budgetary information in a third

format, and would be greatly hampered by the absence of any timekeeping system in the Secretariat.

33. Further information would be provided to the Committee on a number of the questions he had referred to.

34. **Ms. Laux** (Officer-in-Charge of the Office of Human Resources Management) said that the views expressed by the Advisory Committee and by a number of delegations in the Fifth Committee, to the effect that type II gratis personnel could be accepted only under the conditions provided for in paragraphs 4 (a) and (b) of General Assembly resolution 51/243 and that such personnel could not be accepted on the grounds of failure to recruit staff expeditiously, would be conveyed to all departments that used type II gratis personnel. Quarterly reports would continue to be submitted and would contain enhanced information similar to that contained in document A/52/709. With regard to the phasing out of gratis personnel in the Department of Peacekeeping Operations, that Department was collaborating closely with the Department of Management in classifying posts and circulating vacancy announcements, and would act as expeditiously as possible to recruit staff for those posts, if the latter were approved, to replace type II gratis personnel.

35. In reply to the questions posed by the representative of Iraq at the preceding meeting, she said that, as indicated in document A/51/688/Add.3, the United Nations Special Commission reported directly to the Security Council on all matters related to its activities and its staff were governed by a special regime set out in the report of the Secretary-General to the Security Council (S/22508) on the implementation of paragraph 9 (b) (i) of Security Council resolution 687 (1991). Consequently, the guidelines for type II gratis personnel did not apply to gratis personnel of the Special Commission. The change from type II to type I gratis personnel had no financial implications and would not entail any increased liability in respect of the proceeds from petroleum sales.

36. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, said that General Assembly resolution 51/243 should be implemented fully and expeditiously. He trusted that the phasing out of gratis personnel not covered by the exceptions provided for in that resolution would not affect the proper and efficient functioning of the Secretariat departments concerned; the Committee's decisions on other agenda items would be important in that context.

37. He agreed with the Advisory Committee that reports on the use of gratis personnel should continue to be provided, but suggested that the need for such reports on a quarterly basis should be kept under review. He was not convinced by the Advisory Committee's argument that the use of gratis personnel in relation to the International Tribunal for Rwanda

during the period under consideration had not complied with General Assembly resolution 51/243. However, he shared its view that the use of gratis personnel should not be allowed to delay recruitment.

38. Although the revised guidelines for the use of type II gratis personnel, contained in document A/52/698, represented a great improvement, he had reservations about the stipulation that gratis personnel should not be allowed to supervise staff members. That restriction would be unnecessary if proper arrangements were in place, and such supervision might even be an integral part of the functions of some gratis personnel. He therefore asked why the proposal had been made. Moreover, the restriction, to only six months, of the duration of the functions of gratis personnel accepted under paragraph 4 (b) of General Assembly resolution 51/243 was unrealistic, considering that the average time it took to recruit a staff member was 460 days, according to the report of the Office of Internal Oversight Services (A/53/90, para. 31). He also asked for clarification of the amendment recommended by the Advisory Committee to paragraph 25 of the Secretary-General's report (A/52/698), which concerned third-party claims. Lastly, he endorsed the Secretary-General's view that administrative support costs should not be charged for gratis personnel accepted in accordance with General Assembly resolution 51/243.

39. **Mr. Mihut** (Romania) and **Mr. Jaremczuk** (Poland) said that they wished to align themselves with the statement made by the representative of the United Kingdom on behalf of the European Union.

40. **Mr. Odaga-Jalomayo** (Uganda) asked for an estimate of how long it would take to recruit staff to replace the gratis personnel being phased out of the Department of Peacekeeping Operations, so that that time-frame could be reflected in the resolution to be adopted on the subject.

41. **Ms. Laux** (Officer-in-Charge of the Office of Human Resources Management) said that no recruitment could take place until the posts in question were approved. However, her Office had already begun the process of classifying and preparing job descriptions for those posts so that the recruitment process could begin immediately the posts were approved.

42. **Mr. Wortel** (Director of the Operational Services Division) said that the Office of Human Resources Management maintained its position that staff members should be supervised only by other members of the United Nations Secretariat. Even technical cooperation experts recruited under the 200 series of the Staff Rules could not supervise other staff members, although they could head certain projects. Performance evaluations, including those

under the Performance Appraisal System (PAS), for gratis personnel were prepared by the staff members who supervised them.

43. **Mr. Sklar** (United States of America) said that, if the average recruitment time was 460 days, the phasing out of gratis personnel would have to be completed considerably later than the target date of 31 December 1998. He welcomed the preparatory work being done by the Office of Human Resources Management, which would expedite the recruitment process, and asked for an estimate of how significantly that approach would shorten the recruitment process.

44. **Mr. Wortel** (Director of the Operational Services Division) said that recruitment procedures were being streamlined. For the posts to be approved for the Department of Peacekeeping Operations, he estimated that the classification process would be carried out in May and June 1998, the vacancy announcements would be circulated in July and August 1998 and the new staff would be recruited between September and November 1998. Moreover, vacancy announcements for the International Tribunal for Rwanda were currently being circulated.

45. **Mr. Moktefi** (Algeria) said that the Secretariat had a clear obligation, under General Assembly resolution 51/243, to accelerate the recruitment process so that gratis personnel could be replaced expeditiously. The Secretariat must respect the deadline for the completion of that process, even if it had to take exceptional measures in order to do so.

46. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, said he agreed with the representative of Algeria that the recruitment of staff to replace phased-out gratis personnel was a crucial issue. He would seek further information in that regard in informal consultations.

47. **Ms. Güray** (Turkey) said that she shared the concerns expressed by the representatives of the United Kingdom and the United States of America.

The meeting rose at 11.25 a.m.