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FIFTH COMMITTEE
78th meeting
held on
Wednesday, 16 December 1981
at 10.30 a.m.
New York

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SUMMARY RECORD OF THE 78TH MEETING

Chairman: Mr. BRODODININGRAT (Indonesia)

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

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The meeting was called to order at 11.10 a.m.

AGENDA ITEM 100: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1982-1983 (continued)
(A/36/6, A/36/7, A/36/38, chaps. V and VII D; A/C.5/36/L.41/Rev.1)

Section 28J. Staff training activities, Headquarters contractual status of language teachers (A/36/7/Add.18; A/C.5/36/67)

1. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that, in his report (A/C.5/36/67), the Secretary-General proposed that 20 language teachers should be given staff-member status and that, pending review of their classification by the International Civil Service Commission, they should be paid at the rate of the principal level of the General Service category and participate in the United Nations Joint Staff Pension Fund. That would require an additional appropriation of \$154,400, of which \$143,900 related to pension benefits.

2. The Advisory Committee had discussed that proposal with representatives of the Secretary-General and had asked a number of questions. ACABQ had noted that the proposal related to Headquarters only, but, in the view of ACABQ, a proposal of that kind not only had implications for the United Nations itself but could have ramifications throughout the whole system. ACABQ felt that, before the General Assembly accepted the Secretary-General's proposal, the full implications for other parts of the United Nations should be available. The Advisory Committee had also felt that ICSC, which under its statute was required, inter alia, to examine conditions of service for locally employed staff, should have an opportunity to review the proposal. ACABQ felt that the problem was essentially a human one and one of the intentions of the Secretary-General's proposal was to enable language teachers to participate in the United Nations Joint Staff Pension Fund. The Advisory Committee believed that other alternatives could be explored. Staff need not necessarily be assimilated to the General Service or Professional category in order to participate in the Pension Fund. Accordingly, in paragraph 9 of its report (A/36/7/Add.18), the Advisory Committee stated that, for the time being, it was unable to support the proposal, which should be re-examined and the views of ICSC obtained. The Advisory Committee therefore recommended postponing a decision on the proposal until more information was available and pending the recommendations of ICSC.

3. Mr. JONAH (Assistant Secretary-General for Personnel Services) recalled that he had brought the question of the contractual status of language teachers to the attention of the Committee in 1979. The Secretary-General's proposal contained in document A/C.5/36/67 was the result of some two years of discussion within the Administration and between the Administration, the staff representatives and the teachers themselves. In his view, the proposed conversion of language teachers to the status of staff members would have a beneficial effect on the Language Training Programme, while at the same time providing full-time employment status to the teachers. It had therefore come as a disappointment that the proposal had not been favourably received by ACABQ.

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(Mr. Jonah, Assistant Secretary-General for Personnel Services)

4. While appreciating the considerations that had led to the Advisory Committee's recommendation in document A/36/7/Add.18, he felt that a number of questions raised by ACABQ required further clarification on the part of the Secretariat. In its report, ACABQ suggested that the matter should perhaps be referred to ICSC for consideration. That procedure had indeed been fully taken in account in the Secretary-General's proposal. However, in view of the heavy work programme of the Commission, it had been felt that it would be unrealistic to expect it to come to a decision on the question within the next two or three years. In the meantime, as the matter had long been delayed and called for urgent action, it had been proposed that an interim arrangement should be made within the existing administrative and budgetary framework to give language teachers the status of staff members. Under that arrangement, they were equated for pay purposes to the principal level of the General Service category. The equation of their remuneration to remuneration at that level was not entirely fortuitous. It took into account the results of a survey of the conditions of service of outside teachers with comparable qualifications and responsibilities in the New York area. Therefore, the basic principle of determining the conditions of service of locally employed personnel by referring to the best prevailing conditions of employment in the locality had been observed.

5. In its report, ACABQ further suggested that other possibilities of providing pension benefits to language teachers might be explored. Such alternatives had been examined by the Secretariat and consultations had been held with the Pension Fund. It had been found that the other methods were less satisfactory and could be more costly to the Organization if and when teachers became staff members at a later stage. Furthermore, pension benefits were not the only issue. The questions of appropriate pay level, maternity and sick leave entitlements and the greater participation of teachers in the Language Training Programme weighed heavily in favour of granting them the status of staff members.

6. A further point raised by ACABQ related to how the necessary funds were to be provided. The teachers' remuneration had always been financed from general temporary assistance funds. For the 1982-1983 biennium an appropriation of \$915,600 was proposed under the same heading. While general temporary assistance naturally suggested appointments for short durations to cover peak periods, it was not inconsistent with the Staff Rules to offer fixed-term contracts of one year's duration from temporary assistance funds. At any rate, there existed a technical solution, consisting of using the heading "Teachers" as a budget line instead of "General temporary assistance", in the same way as had been done for guides and dispatchers in the Visitors Section of the Department of Public Information.

7. In view of the position taken by ACABQ, he was concerned that the postponement of a decision by the Fifth Committee and the absence of a request to ICSC to review the matter and submit its recommendations within a specific period of time would deprive teachers of pension coverage and other benefits for some time to come. Given the average age of 40 of the full-time teachers, any further deferment of those benefits would be a severe loss to them.

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8. Mr. BOUZARBIA (Algeria) said that he fully agreed with the views expressed by the Assistant Secretary-General for Personnel Services concerning the situation of the language teachers. As the Chairman of the Advisory Committee had said, the problem was a human one. According to document A/36/7/Add.18, ACABQ was not against the measures proposed by the Secretary-General; it was procedural questions that were involved. He drew attention to the social instability suffered by the language teachers because they were paid on an hourly basis and were not entitled to social benefits or maternity leave. Seventeen of the 20 language teachers concerned were women. He would like to find some solution that would help the teachers. A teacher who worked 14 to 15 hours per week had a right to a pension. He could say from his own experience that one hour of teaching equalled at least two hours of office work.
9. Mr. FALL OULD MAALOUM (Mauritania) asked the Assistant Secretary-General for Personnel Services why it would be more costly to find a pension scheme for the language teachers outside the United Nations. Document A/36/7/Add.18, paragraph 8, mentioned other possibilities for retirement plans.
10. Mr. BUNC (Yugoslavia) supported the views expressed by the representative of Algeria, and said he strongly believed that a solution must be found.
11. Mr. EL SAFTY (Egypt) said that the Committee should consider the human side of the issue. The language teachers trained United Nations staff. The extra funds involved were not much to ask for an improvement in staff functions and output. In his view, one hour of teaching equalled more than two hours of other work. The teacher had to prepare his programme and monitor results. After hearing the Assistant Secretary-General's explanation, he felt that the matter was solved and that the Committee should approve the additional appropriation requested by the Secretary-General.
12. Miss ZONICLE (Bahamas) said, with regard to the Assistant Secretary-General's remark that ICSC would not be able to submit its comments in less than two years, that the question might be covered by paragraph 9 (a) and (e) of draft resolution A/C.5/36/L.43/Rev.1.
13. Ms. CONWAY (Ireland) asked the Assistant Secretary-General to explain the contractual status of teachers at the United Nations International School.
14. Mr. JONAH (Assistant Secretary-General for Personnel Services) said, in reply to the representative of Mauritania, that if the language teachers became staff members at a later date the United Nations would lose the contributions paid to other pension schemes in the interim.
15. In reply to the representative of Ireland, he explained that the United Nations International School was a corporation and was not part of the United Nations.
16. Mr. PAPENDORP (United States of America) said that the Advisory Committee's report was persuasive to his delegation, which was chary of any additions to United Nations staff and felt that, in the present case, the justification was

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inadequate. He suggested that there might be other alternatives. The members of the United States Mission had greatly benefited from the dedicated and effective work of the language teachers, but the role of a language teacher was, by the nature of the work, an intermittent one. The Committee had earlier discussed the question of the rationalization of language teaching at Headquarters and elsewhere. It was hard to agree that the language teachers should be given permanent status, since that would make it more difficult to adjust staffing needs to training requirements. He therefore supported the Advisory Committee's recommendation.

17. Mr. JONAH (Assistant Secretary-General for Personnel Services) pointed out that the Secretary-General had not asked for permanent status for language teachers. Staff-member status would be accorded one year at a time.

18. Mr. BOUZARBIA (Algeria) emphasized that the measures proposed by the Secretary-General were interim measures, pending a final decision. As the Assistant Secretary-General had stated, ICSC would be unable to deal with the question until 1983. It involved 20 teachers, of whom 12 had the equivalent of a Master's degree and three had the equivalent of a Ph.D. If they were employed on a full-time basis, they could be of greater help to the United Nations staff. If they were given staff-member status after two or three years, on the recommendation of ICSC, the contributions made by the United Nations in the interim would be wasted. He associated himself with the views expressed by the representative of Egypt.

19. Mr. PEDERSEN (Canada) asked the Assistant Secretary-General whether 15 hours a week could be considered full-time work. According to paragraph 7 of the Secretary-General's report, if the language teachers became staff members they would be employed on a full-time basis. He would like amplification on that point.

20. Mr. PALAMARCHUK (Union of Soviet Socialist Republics) said that ACABQ, after careful consideration, had submitted a very good report on the question, and he would have expected its recommendation to be approved by the Committee without opposition. It was even more surprising that the Assistant Secretary-General for Personnel Services should fail to realize that certain rules of the Organization could not be ignored and that the Committee could not take any decision on the Secretary-General's proposal without first having the views of ICSC, not to mention a whole series of other studies and conclusions on such questions as the implications for the Pension Fund. The Assistant Secretary-General had taken it upon himself to speak for ICSC, but there was in fact no reason why the Commission should not be formally requested by the General Assembly to deal with the question earlier than 1983—a request which it would have to comply with.

21. ACABQ had made a very sound recommendation which would enable the Fifth Committee to deal with the substance of the matter in accordance with existing United Nations rules. He therefore proposed that the Committee should decide to adopt the Advisory Committee's recommendation.

22. Mr. JONAH (Assistant Secretary-General for Personnel Services) said, in

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response to the remarks of the Soviet representative, that it was the first time he had felt obliged to come before the Committee to differ with an ACABQ recommendation. He had hesitated to do so because of his regard for the Advisory Committee, but he had felt that he had to speak for the teachers, who had brought their problems to his attention and some of whom had been with the United Nations for nine years.

23. With regard to ICSC, the Commission itself had said in its report (A/36/30) that it would not be able to take up issues having to do with salaries at Headquarters until 1983. The Committee could request it to give priority to the question under discussion, but there was no guarantee that ICSC would comply.

24. Mr. PAL (India) said he agreed with the representative of Algeria that the issue was primarily a human one. The Committee had recently decided not to defer action on a similarly pressing personnel problem, and it would be shameful if it put off acting on the matter at hand until the situation had become desperate. What the Secretary-General was proposing was interim measures until such time as the recommendations of ICSC and additional information had been received. Experience had shown that ICSC moved at its own pace, regardless of General Assembly exhortations. A decision to defer action would solve nothing, while a decision to take interim measures would materially improve the situation.

25. Mr. MONAYAIR (Kuwait) said that, because the role of the language teachers was so important, he supported the statements of the representatives of Algeria and Egypt.

26. After a procedural discussion, Mr. BOUZARBIA (Algeria) proposed that, in view of the Assistant Secretary-General's statement that ICSC did not intend to consider the system-wide implications of granting staff-member status to the language teachers before 1983 and the fact that the situation of the teachers was critical, the recommendation made by the Advisory Committee in paragraph 9 of its report (A/36/7/Add.18) should, if adopted by the Committee, be amended to request ICSC to deal with the case and submit the results of its study to the General Assembly at its next session.

27. The Algerian proposal was adopted.

28. Mr. BANGURA (Sierra Leone) asked how the amendment just adopted could be reconciled with what he had understood from the ICSC report and the Assistant Secretary-General's explanations, namely, that ICSC was prevented by its existing commitments from taking up the matter until 1983.

29. The CHAIRMAN said that, as a result of the amendment, ICSC would be bound to present a report on the matter to the General Assembly at its thirty-seventh session.

30. Mr. JONAH (Assistant Secretary-General for Personnel Services) explained that, as indicated in its report, ICSC had determined that, according to its

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schedule of work, it could not take up the matter until 1983. He did not know whether the Commission would now comply with the request to be made under the Algerian amendment.

31. The CHAIRMAN suggested, on the basis of the Advisory Committee's recommendation, as orally amended, that the Fifth Committee should recommend that the General Assembly should take note of the Secretary-General's report on the Headquarters contractual status of language teachers (A/C.5/36/67) and the related report of the Advisory Committee (A/36/7/Add.18), postpone a decision on the question until it had received the additional information referred to in the Advisory Committee's report and the recommendations of ICSC regarding the system-wide implications of the granting of staff-member status to language teachers at Headquarters, and request ICSC to report to it on the matter at its thirty-seventh session.

32. It was so decided.

Revised estimates: effect of changes in rates of exchange (continued) (A/C.5/36/79)

33. Mr. BOUZARBIA (Algeria) said that he would like some clarifications regarding a decision involving \$9 million which the Committee had taken at the preceding meeting on revised estimates due to the effect of changes in rates of exchange. He asked who set the rates of exchange, how they were set and what their impact was on the budget.

34. Mr. RUEDAS (Assistant Secretary-General for Financial Services) said that the rates of exchange were set in the first instance by the market and, of course, fluctuated daily. Since the United Nations could not take the daily fluctuations into account in its calculations, it used operational rates of exchange established at the end of each month in the light of the situation at that time. An operational rate of exchange usually remained in force from month to month until a sizable variation of say 3 per cent occurred. In the context of the programme budget performance of the United Nations for the biennium 1980-1981, the operational rates of exchange had been set by the Office of Financial Services for all organizations within the United Nations system.

35. As for the manner in which the rates were set, the United Nations budgetary practice has been to reflect in the proposed programme budget for any given period the latest information available on exchange rates. In early 1981, when the proposed programme budget for the current biennium had been established, it had of course been impossible to foresee operational rates for the latter part of the year. Future fluctuations would be reflected in the report submitted by the Secretary-General at the end of the first year of the biennium and again at the end of the second year, and they would again result in revised estimates.

36. The impact of rates of exchange was very simple. Since the United Nations budget was expressed in dollars, any currency fluctuations would be reflected in the amount of dollars required for the various programmes. For instance, should the dollar decline in relation to other currencies, more dollars would be needed for each programme.

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37. Mr. BOUZARBIA (Algeria) asked what was the current market rate for the dollar and why the Swiss franc had been set at 1.76 to the dollar rather than 1.71, which he believed was the current rate.

38. Mr. RUEDAS (Assistant Secretary-General for Financial Services) explained that 1.76 had been the exchange rate on 30 November 1981, when the operational rate for December had been established. The value of the dollar has risen in the interim, and the rate as of 16 December was approximately 1.82 Swiss francs to the dollar. If need be, that change would be reflected in the operational rate for January 1982, to be established at the end of December.

Establishment of a child-care centre at Headquarters (A/36/7/Add.19; A/C.5/36/73)

39. Mr. ASP (Sweden), speaking on behalf of the delegations of Denmark, Finland, Norway and Sweden, said that the question of establishing a child-care centre at Headquarters was closely related to the over-all problem of achieving equality between working men and working women. The establishment of a child-care centre would substantially improve the opportunities for women at Headquarters to contribute to the work of the United Nations. In its resolution 35/140, the General Assembly had affirmed the equal right of men and women to participate in the social, economic and political processes of development, and the lack of adequate child-care facilities might well hamper the free choice of women in that regard.

40. The delegations for which he spoke regretted that it had not been possible to mobilize sufficient support for the establishment, at the present time, of a child-care centre at Headquarters. The provision of child-care facilities had been endorsed by the World Conference of the United Nations Decade for Women as a means of improving employment opportunities for women. The Nordic States trusted that the Secretary-General would, in co-operation with representatives of the staff, continue to study the matter and continue to submit reasonable project proposals to the General Assembly in the years to come. They also endorsed the Advisory Committee's suggestion that ICSC should be requested to review the option of modifying either the child allowance or the education grant to permit payment of a direct day-care allowance on a graduated scale to all eligible staff members (A/36/7/Add.19, para. 15). Perhaps ICSC could go one step further and study, in that connexion, the broader question of child-care facilities at Headquarters. At any rate, the Nordic delegations proposed that the question of a subsidy for child-care expenses should be referred to in draft resolution A/C.5/36/L.43/Rev.1 on the report of the International Civil Service Commission.

41. Mr. JONAH (Assistant Secretary-General for Personnel Services) expressed disappointment at the conclusion reached by the Advisory Committee with regard to the establishment of a child-care centre. That question clearly involved a matter of social policy. There had been at least two reports by the Joint Inspection Unit recommending the provision of child-care facilities as a means of improving employment opportunities for women in the Secretariat, and that recommendation had been endorsed by the World Conference of the United Nations Decade for Women. The Secretary-General was therefore under an obligation to make proposals for the establishment of a child-care centre at Headquarters, where

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the need for such services was most keenly felt.

42. The Advisory Committee had pointed out that, if the provision of child-care services was to be considered a matter of social policy, a policy decision would have to be taken by the General Assembly. In paragraph 15 of its report (A/36/7/Add.19), it had suggested that ICSC might be requested to review the option of modifying either the child allowance or the education grant to permit payment of a direct day-care allowance on a graduated scale to all eligible staff members. If that course of action was acceptable to the Fifth Committee, it was hoped that draft resolution A/C.5/36/L.43/Rev.1 would include a specific reference to such a request as an alternative to the establishment of a child-care centre at the present stage.

43. Mrs. INCERA (Costa Rica) said that, at the thirty-fifth session, her delegation had supported the idea of a child-care centre at Headquarters and had co-sponsored a draft resolution on the subject (A/C.5/35/L.52). The sponsors of the draft resolution had not insisted on a vote, in order to accommodate certain delegations which, while supporting the idea in principle, had called for a broader study of the question and for further details.

44. According to paragraph 7 of the Secretary-General's report (A/C.5/36/73), it was calculated that the projected centre should accommodate 120 children and that, on the basis of plans for family growth, there would be enough children in the future to keep the centre full at that level. Of the 120 children to be accommodated at the centre, 50 would be between the ages of 1 and 3 and 70 between the ages of 3 and 5.

45. With respect to paragraph 14 of the Advisory Committee's report (A/36/7/Add.19), her delegation regretted that the solution was considered too costly. Costa Rica was convinced that the total annual cost could have been reduced, had there been a genuine desire to make necessary adjustments to the estimates.

46. Mrs. de HEDERVARY (Belgium) said that it would be unrealistic to have a child-care centre where the total annual cost per child was nearly \$7,000. However, the question of establishing a child-care centre at Headquarters should not be approached solely from the budgetary point of view; a matter of social policy was involved.

47. The representative of Sweden and the Assistant Secretary-General for Personnel Services had made reasonable and equitable proposals regarding a review by ICSC of the option of modifying either the child allowance or the education grant. As one of the sponsors of draft resolution A/C.5/36/L.43.Rev.1, Belgium suggested that the request to ICSC should be included in paragraph 9 (b) of the draft resolution, which should be amended to read: "A review of dependency allowances for all categories of staff, including the possibility of providing an element of subsidy to child-care expenses, and a review of the scope and purpose of the education grant".

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48. The CHAIRMAN said that, if there was no objection, he would take it that the Committee decided to recommend that the General Assembly should take note of the report of the Secretary-General on the establishment of a child-care centre at Headquarters (A/C.5/36/73) and the related report of the Advisory Committee (A/36/7/Add.19), and to endorse the recommendations contained in the Advisory Committee's report.

49. It was so decided.

50. Mr. MARTORELL (Peru) asked whether that decision meant that no specific action had been taken by the Committee with regard to the establishment of a child-care centre at Headquarters.

51. Mr. PALAMARCHUK (Union of Soviet Socialist Republics) said that, as he understood it, the Fifth Committee, in endorsing the Advisory Committee's recommendations, had taken no decision regarding the establishment of a child-care centre.

52. Mrs. de HEDERVARY (Belgium) pointed out that one of the Advisory Committee's recommendations was that ICSC should review the option of a direct day-care allowance to all eligible staff members. Her delegation supported that recommendation.

Consolidated statement of administrative and financial implications in respect of conference servicing costs (A/C.5/36/105)

53. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that, on the basis of its review of the Secretary-General's report (A/C.5/36/105) and of the information provided by representatives of the Secretary-General, the Advisory Committee recommended the following appropriations: \$3.5 million under section 29A (Department of Conference Services, Headquarters); \$3.7 million under section 29B (Conference Services, Geneva); \$2.7 million under section 29C (Conference Services, Vienna); and \$100,000 under section 28D (Office of General Services, Headquarters). The total was \$10 million. In addition, the Advisory Committee recommended an additional appropriation of \$1.3 million under section 31 (Staff assessment), to be offset by the same amount under income section 1 (Income from staff assessment).

54. The CHAIRMAN said that, if there was no objection, he would take it that the Committee adopted the Advisory Committee's recommendations.

55. It was so decided.

56. Mr. PALAMARCHUK (Union of Soviet Socialist Republics), speaking in explanation of position, said that his delegation had not objected to the Advisory Committee's recommendations. If, however, they had been put to a vote, the Soviet Union, for reasons already stated at previous meetings, would not have been able to support them.

57. Mr. PAPENDORP (United States of America) said that, according to paragraph 3 of the Secretary-General's report (A/C.5/36/105), the statements of financial implications issued during the current session of the General Assembly had contained

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estimates of conference servicing requirements in 1982 up to a total amount of almost \$29 million. The Secretary-General had requested an additional appropriation of \$12 million. The situation confirmed his delegation's position regarding the way in which the estimates were presented.

58. Regrettably, the statement made by his delegation at the 67th meeting of the Committee had not been taken into account. If a vote had been taken on the Advisory Committee's recommendations, the United States would have voted against them.

59. Mr. KUYAMA (Japan) said that, although his delegation had joined in the consensus, it believed that the Committee on Conferences should review the calendar of meetings with a view to reducing the expenditure on temporary assistance.

The meeting rose at 1 p.m.