

SUMMARY RECORD OF THE 60th MEETING

Chairman: Mr. EL-HOUDERI (Libyan Arab Jamahiriya)
later: Mr. BUJ-FLORES (Mexico)

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

CONTENTS

AGENDA ITEM 98: PERSONNEL QUESTIONS (continued)

- (a) COMPOSITION OF THE SECRETARIAT: REPORT OF THE SECRETARY-GENERAL
- (b) OTHER PERSONNEL QUESTIONS: REPORTS OF THE SECRETARY-GENERAL

AGENDA ITEM 17: APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS (continued)

- (f) INTERNATIONAL CIVIL SERVICE COMMISSION
 - (i) APPOINTMENT OF SIX MEMBERS OF THE COMMISSION
 - (ii) DESIGNATION OF THE CHAIRMAN OF THE COMMISSION

AGENDA ITEM 99: REPORT OF THE INTERNATIONAL CIVIL SERVICE COMMISSION (continued)

AGENDA ITEM 91: PROGRAMME BUDGET FOR THE BIENNIUM 1980-1981 (continued)

Emoluments of the Secretary-General

Job classification and career development of language staff (continued)

*This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one month of the date of publication* to the Chief of the Official Records Editing Section, room A-3550, 866 United Nations Plaza (Alcoa Building), and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate fascicle for each Committee.

Distr. GENERAL
A/C.5/35/SR.60
19 December 1980

ORIGINAL: ENGLISH

The meeting was called to order at 3.10 p.m.

AGENDA ITEM 98: PERSONNEL QUESTIONS (continued)

(a) COMPOSITION OF THE SECRETARIAT: REPORT OF THE SECRETARY-GENERAL

(b) OTHER PERSONNEL QUESTIONS: REPORTS OF THE SECRETARY-GENERAL

Draft resolutions A/C.5/35/L.37 and Add.1 (continued)

1. Mr. GBEHO (Ghana) said that his delegation was in general agreement with most of the provisions of draft resolutions A/C.5/35/L.37 and Add.1 adopted by the Committee at its 56th meeting. The Secretary-General should continue to establish 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. It was his delegation's clear understanding that the provisions of resolution 33/143 relating to the so-called over-represented countries remained valid and would be observed strictly. The Secretariat must not pursue a negative recruitment policy vis-à-vis the so-called over-represented countries. The staffing policy of the Organization should be guided by Articles 8 and 101 of the Charter. Strict adherence to those provisions and related personnel policy measures adopted by the General Assembly in resolutions 31/16, 32/17 and 33/143 would minimize and even eliminate political interference in personnel matters.

2. In connexion with section IV of resolution A/C.5/35/L.37, his delegation welcomed close co-operation between the International Civil Service Commission (ICSC) and the Joint Inspection Unit (JIU) but felt that the resolution should have referred to the statutory responsibility of ICSC in the areas of career development, selection procedures and so forth. It was the clear understanding of his delegation that paragraph 2 of section IV took cognizance of that fact.

3. His delegation had been happy to join in the consensus on draft resolution A/C.5/35/L.37/Add.1 and welcomed the establishment of a governmental committee of experts that would assist the Secretary-General in implementing personnel policy reforms, eliminating deficiencies in the financial management and control of the United Nations system and in streamlining the Organization in order to make it more responsive to the policies and needs of the international community.

4. Mr. SLABÝ (Czechoslovakia) said that his delegation was not entirely satisfied with the draft resolutions on personnel questions adopted by the Committee. It was aware that the existing problems and short-comings could not be eliminated quickly. One long-standing area of concern to the international community was the principle of equitable geographical distribution, the main barrier to which was the continued practice of awarding permanent contracts. The provisions of resolution 33/143 with regard to the reservation of a certain number of posts for unrepresented and under-represented countries had still not been implemented. His own country was among the under-represented, with only 10 staff members despite a desirable range of 17 to 22.

/...

5. Mr. MAPP (Barbados) said he hoped that, with the adoption of the two draft resolutions on personnel questions, there would be increased recruitment of candidates from unrepresented and under-represented countries, and also of women and young people. Discrimination against candidates from developing countries must be eliminated; one possible solution would be not to insist that they resit the competitive examination if the appropriate posts were not available, the internal roster being used to accommodate them instead. His delegation favoured a truly independent international civil service and access to the Committee by staff representatives through written and oral submissions of their views.

6. Mr. SADDLER (United States of America) said that his delegation attached considerable importance to: adequate and equitable representation of United States nationals in positions in the Professional category and above, pursuant to the provisions of Article 101 of the Charter; attaining equal employment opportunities for women in the United Nations system; responsible performance by Member States of their functions relating to policy formulation and direction and their supervisory responsibilities for the activities of the United Nations and the specialized agencies; the development, establishment and operation of sound, just and fair personnel policies and practices, staff and career development procedures, unbiased promotion machinery, a true merit selection system and the essential staff training activities; more liberal retirement policies, procedures and practices; and improved security safeguards for staff members when they were performing official duties.

7. His delegation called on all responsible Secretariat officials to implement promptly the recently adopted draft resolutions on personnel questions and General Assembly resolution 33/143, in particular as they applied to the employment of women. The compromise on desirable ranges had been accepted reluctantly by his Government, but it should not be assumed that the diminishing weight given to the contributions factor was a trend that could continue. He pointed out that the General Assembly had approved a biennial budget of \$1.2 billion for 1980-1981 and soon the Secretary-General would present a request for 10 per cent of that amount in additional appropriations. Given the competing claims for scarce resources and the fact that the major share of the United Nations budget was met by a few Member States that often made very large voluntary contributions as well, a wise and sensitive individual would perceive the political realities inherent in the link between equitable representation and the total contribution to United Nations organizations. Desirable ranges should serve as a guideline but did not represent a ceiling or fixed limit. The Secretary-General should administer the system of desirable ranges in a more flexible manner than he had in the past, while at the same time striving to improve the representation of unrepresented and under-represented States. The highest standards of efficiency, competence and integrity must remain the paramount consideration in the recruitment of staff, along with the need to employ more women, particularly at the senior levels. His delegation was convinced of the need to appoint a senior co-ordinator to work towards the attainment of true equality for women in the Secretariat.

(Mr. Saddler, United States)

Furthermore, the age of retirement must be flexible, so that experienced and competent staff could be retained, regardless of their age. It went without saying that poor performers should be eliminated as early as possible. The staff of United Nations organizations were an important and valuable asset, but it should be remembered that the staff served those organizations, which in turn served Member States.

8. His delegation had joined in the consensus on draft resolutions A/C.5/35/L.37 and Add.1 on personnel questions but the reservations that it had made with respect to certain points covered in the General Assembly resolutions referred to in the second preambular paragraph of draft resolution A/C.5/35/L.37 still remained.

9. Mr. Buj-Flores (Mexico) took the Chair.

10. Mr. RAKAU (German Democratic Republic) said that draft resolution A/C.5/35/L.37 was a compromise that reflected the interests of various groups. The Secretary-General, and under his guidance the Office of Personnel Services headed by its distinguished Assistant Secretary-General, would be in a better position to respect the two principles - the highest standards of efficiency, competence and integrity and equitable geographical distribution - laid down in Article 101 of the Charter; those principles had equal importance. Speaking as a representative of one of the countries that had so far been under-represented, he said he was confident that the goal laid down in section I, paragraph 1, namely that the unrepresented and under-represented countries should achieve their desirable ranges during the period 1981-1982, would be attained.

11. His delegation was prepared to accept the compromise on the system of desirable ranges as set out in section II of the draft resolution, and it hoped that no attempt would be made to call that compromise into question. It welcomed the renewed recommendation to the Secretary-General to continue his endeavours to increase the number of staff members appointed on fixed-term contracts, not out of national interest, but because it recognized that the unprecedented pace of change in the world made it imperative that a large portion of the United Nations staff should be replaced periodically. While recognizing the principle that no post should be considered the exclusive preserve of any Member State, his delegation trusted that that principle would not affect the implementation of section I, paragraph 4. To act otherwise would mean that the representation of States whose citizens were employed on fixed-term contracts would be steadily reduced. His delegation was confident that the reports called for in section IV, from the Joint Inspection Unit and the International Civil Service Commission, would examine thoroughly the usefulness of fixed-term contracts.

12. The position of principle of his Government on the question of equal rights for women was well known. His delegation therefore had had no problem in joining the consensus on section V of draft resolution A/C.5/35/L.37. However, it emphasized that the target set in General Assembly resolution 33/143 could be reached only if due regard was given to the principle of equitable geographical distribution.

13. Mr. FARMER (Australia) said that, on the question of desirable ranges, draft resolution A/C.5/35/L.37 was not ideal from the standpoint of any delegation; but it represented something on which it had been possible for a consensus to emerge. Section II, paragraph 3, referred to the concept of parity between the membership and contribution factors and discussions on that concept at the thirty-fifth session. He wished to record his delegation's understanding that in the informal consultations there had been useful discussions on the concept of parity. None the less, in the time available it had not been possible even to approach agreement on the full meaning of the concept, let alone on its general acceptability. Having said that, his delegation acknowledged that the draft resolution incorporated very significant changes from the present system of drawing up desirable ranges. Among the most important of those changes was that reflected in section II, paragraph 2, which embodied the concept of an equal distribution of posts above 3,350 between membership and contribution, after an allowance had been made for population. That change represented a very significant step and one whose implications and operation would be reviewed at the forty-first session of the General Assembly. His delegation would have preferred agreement at the current session on a régime which might have lasted longer than six years, but it recognized that, like other elements in the discussion, the question of duration was the subject of conflicting views.

14. He wished to reiterate his delegation's continuing commitment to the prerogatives of the Secretary-General in the appointment of staff under the Charter. In that context, Australia believed that it was undesirable for countries to take a proprietorial attitude to their nationals working in the Secretariat. It had always been apparent that the efficiency and other qualities of individual members of the Secretariat bore no particular relation to nationality and that, while wide geographical distribution was highly desirable, the first priority of the General Assembly must be to secure a vigorous and creative Secretariat. He hoped there would be recognition of those basic Charter principles in the discussions which were to take place six years hence.

15. His delegation realized that satisfactory improvements in the number and seniority of women in the Secretariat would take time, but it had been disturbed to note that there had been only a slight increase in the average grade of female staff - largely as a result of the process of "grade creep", itself an objectionable phenomenon. There had also been negligible and in some cases negative change at the P-5 level and above. Against that background, his delegation was gratified that section V of the draft resolution took up a number of suggestions embodied in resolution 24 adopted by the World Conference of the United Nations Decade for Women and in the report of the Joint Inspection Unit on women in the Professional category and above. Needless to say, his delegation expected the targets set out in draft resolution A/C.5/35/L.37 to be met. It was also pleased that the annex to that draft resolution included some detailed suggestions for improving the Organization's

(Mr. Farmer, Australia)

recruitment practices in so far as they related to women. There were a number of other measures which might appropriately be considered by the Secretariat and which did not conflict with the measures set out in the annex. The Secretariat might, for example, wish to consider maintaining a register of qualified women to facilitate recruitment of women to fill vacancies at Professional levels. There might well be other means of obtaining and sharing information on women candidates which would facilitate the Secretariat's task of meeting the targets laid down in General Assembly resolution 33/143 and reaffirmed in draft resolution A/C.5/35/L.37.

16. With reference to section V, paragraph 5, of the draft resolution, his delegation was aware that the agreed language represented a compromise between different points of view. However, it hoped that the Secretary-General, when examining the additional measures referred to, would have regard to the Australian view that it would be highly desirable to designate a senior official to co-ordinate the functions regarding appointment, promotion and assignment of women in the Secretariat. His delegation had joined in the consensus resolution at the Copenhagen Conference, which included a reference to such a position, and believed that a high-level appointment of a person who would report regularly to the Secretary-General and to the Commission on the Status of Women would be a significant and welcome development.

17. Finally, he wished to comment on draft resolution A/C.5/35/L.37/Add.1, relating to the Secretary-General's letter on the establishment of a committee of experts to evaluate the present structure of the Secretariat. In the normal course of events, Australia would not have seen need for such a review at that time. None the less, in the light of developments during the discussion of personnel items at the current session and the expression of views by delegations on the desirability of a review, his delegation had joined in a consensus on the establishment of a committee. Its readiness to do so had proceeded from the view that the Fifth Committee was commissioning an objective review, and one which did not call into question the Secretary-General's prerogatives and responsibilities. Furthermore, his delegation recognized the difficulty of the questions involved and thought that a cooling-off period would be desirable, all the more so if the committee provided a forum for an objective appraisal of all the issues involved. However, the outcome of the review should not be a wholesale upgrading of posts, since that would result in structural problems as well as unacceptable increases in the financial burden on Member States. His delegation believed that the evolution of a more efficient administrative structure in the Organization required not the creation of more high-level jobs but the establishment of a proper balance. That balance had been seriously threatened in recent years by the process of "grade creep" and his delegation would not like to see any further erosion. The suggestion of enlarging the Organization or upgrading posts was too often the easy answer to a difficult problem and experience had shown that the easy answer simply did not work. The committee of experts should attempt instead to make recommendations which would enable the Organization's structure in the administrative, finance and personnel areas to be put on a sound basis which would serve the Organization well in the future and well into the future.

/...

Access by staff representatives to the Fifth Committee (continued) (A/C.5/35/L.44)

18. The CHAIRMAN, after announcing that Gambia had become a sponsor of draft resolution A/C.5/35/L.44, informed members that the negotiations with regard to the draft resolution had not resulted in general agreement. He had been told that the objection to voting on the draft resolution had been withdrawn and that a vote had been requested. Under rule 128 of the rules of procedure, he would now put the draft resolution to the vote. He invited members to speak in explanation of vote before the vote.

19. Mr. KUDRYAVTSEV (Union of Soviet Socialist Republics) said that his delegation would vote against draft resolution A/C.5/35/L.44. His delegation was against the participation of staff representatives in meetings of the Fifth Committee because the Secretary-General was the principal administrative officer of the Organization and it was he who represented the interests of staff in the intergovernmental organizations of the system. In addition, staff representatives had the opportunity to state their views directly in ACABQ and ICSC. Draft resolution A/C.5/35/L.44 was therefore unacceptable and his delegation requested a recorded vote on it.

20. Ms. ZONICLE (Bahamas) said that her delegation would abstain in the vote on the draft resolution. While recognizing the need to be supportive with regard to the views and needs of the staff, her delegation believed that the Fifth Committee must not forget its professional duty to look at staff problems objectively and comprehensively and not to jeopardize its role as a legislative body or do anything that might imply a vote of no confidence in the administrative arm of the Organization.

21. Furthermore, it was important to bear in mind the practice of other organizations in the United Nations system, as mentioned in document A/C.5/35/16. In the view of her delegation, whenever access was deemed to be necessary, it should be confined to physical access to subsidiary bodies of the Fifth Committee and not to the Fifth Committee itself.

22. Mr. PAL (India) said that, as an Indian civil servant, he was not able to appear before the Indian Parliament. On the other hand, the Indian Parliament did not legislate in such detail on personnel matters as the General Assembly. He found it odd that when adopting resolutions which went into such detail on personnel matters as its resolutions did, the Fifth Committee did not insist on the separation of powers, yet it did insist on that separation of powers when dealing with a draft resolution on access by staff representatives. Draft resolution A/C.5/35/L.44 could certainly do no harm, and from the point of view of the staff it was important; his delegation was therefore happy to support it and would vote for it.

23. Mr. FALL (Mauritania) said his delegation would vote in favour of the draft resolution, but wished to stress that it did so on the understanding that the text did not undermine the authority of the Secretary-General, which was clearly reaffirmed in paragraph 1.

/...

24. Mr. PAPENDORP (United States of America) said that the basic views of his delegation, as expressed in detail in the debate on the report of ICSC, had not changed. His delegation appreciated the efforts that had been made by the sponsors to accommodate the problems of certain delegations and would therefore vote for the draft resolution. He wished, however, explicitly to reserve the United States position with regard to the comment made by the delegation that had introduced the draft resolution to the effect that in adopting it, the Fifth Committee would not be prejudging whether or not to extend invitations to staff organizations at the thirty-sixth session of the General Assembly.
25. Mr. RAKAU (German Democratic Republic) said that his delegation would vote against the draft resolution. Its position with regard to access by staff representatives to the Fifth Committee was already well known.
26. Mr. TOMMO MONTHE (United Republic of Cameroon) said his delegation would vote for the draft resolution, which reaffirmed the responsibility and authority of the Secretary-General. He wished to stress that the staff should use its right of access to the Fifth Committee with discretion and tact. The work of the General Assembly should not be disturbed by controversies that could be settled by the Secretary-General or through the existing consultation mechanisms.
27. Mr. GUBCSI (Hungary) said his delegation would vote against the draft resolution. General Assembly resolution 34/220 specifically guaranteed staff members the right to present their views to the Fifth Committee. Draft resolution A/C.5/35/L.44 went a step further.
28. If the draft resolution was adopted, his delegation wondered in what way the Fifth Committee would express its desire to invite a staff representative to appear before it. That was a question that would have to be clarified.
29. Mr. KIMURA (Japan) said that his delegation would vote against the draft resolution. The existing arrangements allowing for written statements of staff views to be submitted through the Secretary-General were adequate. It was not the function of the Fifth Committee to negotiate with the staff. The oral presentation of staff views was not in itself dangerous, but once that was allowed, it would be difficult to prevent staff representatives from responding orally to questions from delegations. That could lead to a collective bargaining situation that would undermine the functions of the Secretary-General as set out in Article 97 of the Charter.
30. Mr. ALLAFI (Libyan Arab Jamahiriya) said that his delegation would abstain in the vote on the draft resolution. It would be able to support paragraphs 1 and 2 if a separate vote was taken on them. However, paragraphs 3, 4 and 5 would add new and unnecessary burdens to the work of the Fifth Committee. The provisions of paragraph 2 were adequate to ensure the access of staff representatives in an appropriate manner.
31. Mr. LAHLOU (Morocco) said that his delegation would abstain in the vote because it felt it was not appropriate to adopt a resolution that might adversely affect the authority of the Secretary-General in any way.

32. Mr. SAMAKE (Mali) said that his delegation could vote for paragraphs 1, 2 and 3 of the draft resolution if there was a separate vote, but it would not be able to vote for the draft resolution as a whole. It would therefore abstain.

33. Mr. BAMBA (Upper Volta) said that the draft resolution, if applied in an inappropriate manner, could lead to complications for the Fifth Committee. However, since it granted access to staff representatives in principle and left the actual arrangements to the discretion of the Fifth Committee, his delegation would vote in favour of it.

34. Mr. HOUNGAVOU (Benin) said that his delegation would vote against the draft resolution for reasons of principle. There were already several mechanisms allowing staff access to bodies of the Assembly. On legal grounds, his delegation did not believe that staff representatives should appear in the Fifth Committee on an equal footing with Member States.

35. Mr. BOUZARBIA (Algeria) said that his delegation, whose position on the question was already well known, had been consulted by the New Zealand delegation with regard to the draft resolution. Since the sponsors had taken into account the Algerian position, his delegation would support the draft resolution, despite the fact it contained certain restrictive elements. Personnel questions should be dealt with globally, without impinging upon the powers and responsibility of the Secretary-General.

36. Mr. HAMZAH (Syrian Arab Republic) said that his delegation would abstain in the vote. Paragraph 3 of the draft resolution was not clear, since it did not actually give the right to staff representatives to have access to the Fifth Committee but did not prevent them from doing so either. The whole matter was simply left pending.

37. Mr. KEMAL (Pakistan) said that at the thirty-fourth session of the General Assembly his delegation had opposed the idea of allowing direct participation by staff representatives in the deliberations of the Fifth Committee. Its position had been based on the principle that the Secretary-General was the spokesman for the staff and it was his job to represent their general concerns. The Fifth Committee now had before it a request by the Secretary-General for it to allow access of some sort to staff representatives. While his delegation still had certain reservations regarding the desirability of staff participation in a legislative body, nevertheless, out of respect for the concerns of Member States that felt strongly on the matter, it would go along with the draft resolution. The participation of staff representatives in the Fifth Committee should not in any way impinge on the responsibility and authority of the Secretary-General and should not vitiate the legislative functions of the Fifth Committee. On that understanding, his delegation would vote for the draft resolution.

38. Mr. PEDERSEN (Canada) said that he would not oppose adoption of the draft resolution but wished to observe that its provisions merely authorized the Fifth Committee to do what it already had the right to do and would open the door for a debate on the matter every year.

39. At the request of the representative of the Union of Soviet Socialist Republics, a recorded vote was taken on draft resolution A/C.5/35/L.44.

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, 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.

40. Draft resolution A/C.5/35/L.44 was adopted by 67 votes to 14, with 25 abstentions.

41. Ms. GUIMARÃES (Brazil) said that her delegation had voted in favour of the draft resolution on the understanding that the Committee might, if it considered it desirable, hear representations of the staff on an ad hoc basis but never regularly.

42. Mr. EL SAFTY (Egypt) said that his delegation had voted in favour of the draft resolution on the understanding that the Committee was not obliged to hear staff representations on a regular or permanent basis or at every session. Paragraph 3, which stated that the Committee might hear staff representatives if it considered it desirable, was clear in that respect. He also drew attention to paragraph 1 which stressed the responsibility and authority of the Secretary-General as the chief administrative officer of the United Nations.

43. Mr. STUART (United Kingdom) said that his delegation had been pleased to vote in favour of the draft resolution. With regard to paragraph 5, his delegation was concerned that the Secretary-General's role as chief administrative officer of the United Nations under Article 97 of the Charter should be upheld. Accordingly, it regretted to some extent the tendency on the part of the Committee, which was a legislative body not a management body, to interfere and make detailed recommendations in areas where it was proper for the Secretary-General to exercise his authority.

(Mr. Stuart, United Kingdom)

44. Direct communication between the Committee and the staff must be controlled. While his delegation could accept that a single oral presentation should be made by the staff, it could not agree to any question-and-answer session or to the possibility that the agreement to hear staff representatives should lead to the setting up of any working group or other body. The original text of paragraph 5 would have ensured more control; if the present paragraph 5 had been voted on separately, his delegation would have voted against it.

45. Mr. AWOKOYA (Nigeria) said that his delegation had voted in favour of the draft resolution on the understanding that: first, the powers of the Secretary-General under Article 97 of the Charter remained intact, second, such representations as were submitted to the Committee would be submitted through the Secretary-General; and third and most important, paragraph 3 meant that an invitation to the staff to make an oral presentation was not mandatory and would be extended only if it was considered necessary.

46. Mr. YUSUF (Somalia) said that his delegation had voted in favour of the draft resolution as it was convinced that it did not conflict with Article 97 of the United Nations Charter.

47. Mr. GEBRU (Ethiopia) said that his delegation had voted against the draft resolution because its adoption might be construed as implying that staff representatives in the regional offices might seek access to the Government without necessarily consulting the immediate representative of the Secretary-General and that they might have a legal basis for disregarding that representative.

AGENDA ITEM 17: APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS (continued):

(f) INTERNATIONAL CIVIL SERVICE COMMISSION (A/35/216/Rev.1, A/35/216/Rev.1/Add.1; A/C.5/35/79)

(i) APPOINTMENT OF SIX MEMBERS OF THE COMMISSION

(ii) DESIGNATION OF THE CHAIRMAN OF THE COMMISSION

48. The CHAIRMAN said that the consultations on the appointment of the Chairman of the Commission had not borne fruit. He drew attention to the notes of the Secretary-General (A/35/216/Rev.1 and Add.1 and A/C.5/35/79) and, in particular, to paragraph 8 of document A/C.5/35/79. Following consultations held under article 4 of the statute of the International Civil Service Commission (ICSC), the Secretary-General had decided in his capacity as Chairman of the Administrative Committee on Co-ordination, to submit the names of two candidates for the post of Chairman of the Commission: Mr. Richard M. Akwei (Ghana) and Mr. Gastón de Prat Gay (Argentina). The Committee would accordingly hold a secret ballot. In that connexion, he drew attention to rule 92 of the rules of procedure of the General Assembly, to rule 125, concerning the required majority, and to rule 126, concerning the interpretation of the phrase "members present and voting".

49. Mr. GBEHO (Ghana) observed that it was the first time that the Secretary-General had been unable to nominate one candidate for the post of Chairman of the International Civil Service Commission. That was most unfortunate. Enough damage

/...

(Mr. Gbeho, Ghana)

had already been done to the Commission by the failure to settle the leadership problem, without deciding the issue by a vote. The Fifth Committee was a committee of experts in personnel policies and management and it should not be subjected to an electioneering campaign between two third world groups who had been allies in many a struggle. The Commission already had a de facto Chairman in Mr. Akwei, who had been Acting Chairman for two years.

50. The CHAIRMAN drew attention to rule 92 of the rules procedure, which stated that there should be no nominations.

51. Mr. GBEHO (Ghana) replied that he was not nominating anyone but merely pointing out that to fail to confirm the Acting Chairman would be adversely interpreted and would damage the Commission and create divisions. He therefore urged the Chairman to prevail upon the Committee to confirm the Acting Chairman and Vice-Chairman in their respective positions, by consensus.

52. The CHAIRMAN replied that delegations had had every opportunity to hold consultations before but that efforts to reach agreement had failed. The representative of Ghana had, in fact, been out of order, for he had been nominating a candidate, and that was contrary to the provisions of rule 92 of the rules of procedure.

53. Mrs. DE BARISH (Costa Rica) said that since the representative of Ghana had spoken she, as Chairman of the Latin American Group for that month, felt compelled to do so too.

54. The CHAIRMAN ruled the representative of Costa Rica out of order, noting that the candidatures had been transmitted in the note of the Secretary-General and rule 92 was specific in forbidding further nominations.

55. Mr. SUEDI (United Republic of Tanzania), speaking on a point of order, noted that it was the first time that the Committee was electing the Chairman of the Commission, and asked what would be the effect of that exercise on the statute of the Commission since article 4 of the statute referred to the "appointment" rather than to the "election" of the Chairman and Vice-Chairman of the Commission. In his view, if the Committee proceeded with the election it would be necessary to change article 4 of the statute of the Commission.

56. The CHAIRMAN read out the text of article 4 of the statute, noting that it stated that the Secretary-General, in his capacity as Chairman of the Administrative Committee on Co-ordination should compile a list of candidates for appointment to the Commission. That procedure had been followed and he did not see how the fact that the Chairman was to be elected could be contrary to the spirit or the letter of article 4.

57. At the invitation of the Chairman, Mr. Gubcsi (Hungary), Mr. Kelleher (Ireland) and Mr. Monayair (Kuwait) acted as tellers.

/...

58. A vote was taken by secret ballot.

Number of ballot papers: 115

Invalid ballots: 4

Number of valid ballots: 111

Abstentions: 0

Number of members voting: 111

Required majority: 56

Number of votes obtained:

Mr. Richard M. Akwei 71

Mr. Gastón de Prat Gay 40

59. Mr. Richard M. Akwei (Ghana) having obtained the required majority, the Committee recommended his appointment as Chairman of the International Civil Service Commission for a term beginning immediately and ending on 31 December 1982.

60. Mr. WILLIAMS (Panama) proposed that Mr. Gastón de Prat Gay should be appointed Vice-Chairman of the Commission by acclamation.

61. The CHAIRMAN said that if there was no objection, he would take it that the Committee wished to recommend to the General Assembly that Mr. Gastón de Prat Gay (Argentina) should be appointed Vice-Chairman of the Commission for a term beginning immediately and ending on 31 December 1982.

62. It was so decided.

63. The CHAIRMAN suggested that the Committee should recommend to the General Assembly the appointments recommended by the Secretary-General in paragraph 8 (a) (b) and (c) of his report (A/C.5/35/79).

64. It was so decided.

65. Mr. GBEHO (Ghana) said that his delegation wished to express its appreciation to all delegations that had voted in favour of Mr. Akwei's appointment. It regretted, however, that it had not been possible to make that appointment without a vote. The legal interpretation of the statute of the Commission was not as clear as the Committee had originally been led to believe, and that was why he had suggested that the decision should be taken by consensus. That suggestion should have been put to the Committee for a decision. His delegation hoped that the procedure just followed would not serve as a precedent.

66. Mr. CULLEN (Argentina) said that his delegation wished to thank the delegations that had voted in favour of the Argentine candidate and to congratulate Mr. Akwei on his election. His delegation would continue to support the work of ICSC.

AGENDA ITEM 99: REPORT OF THE INTERNATIONAL CIVIL SERVICE COMMISSION (continued)

AGENDA ITEM 91: PROGRAMME BUDGET FOR THE BIENNIUM 1980-1981 (continued)

Emoluments of the Secretary-General (A/35/7/Add.30)

67. The CHAIRMAN drew the attention of members to the thirty-first report of the Advisory Committee in document A/35/7/Add.30, referring to the emoluments of the Secretary-General. The Chairman of the Advisory Committee had informed him that he had nothing to add to that report. Members should note, in particular, paragraph 3, containing the Advisory Committee's recommendation for an increase in the emoluments of the Secretary-General, and paragraph 5, showing the financial implications thereof. To facilitate the work of the Fifth Committee, the Advisory Committee had annexed a draft resolution to its report.

68. Noting that it had been the practice of the Fifth Committee to adopt the draft resolution on emoluments of the Secretary-General without a debate, he suggested that the draft resolution contained in the annex to document A/35/7/Add.30 should be adopted without objection.

69. It was so decided.

Job classification and career development of language staff (continued)
(A/35/7/Add.27; A/C.5/35/75; A/C.5/35/L.45)

70. Mr. HAMZAH (Syrian Arab Republic) said that his delegation welcomed the recognition in paragraph 5 of the Secretary-General's report (A/C.5/35/75) that, with certain exceptions, the Professional language career at the United Nations represented a functional continuum, within which the range of grade levels should reflect the increasingly complex specialized or sensitive nature of the staff members' assignments. Such recognition, together with the proposed reclassification of language posts, would ensure a measure of equity between the language staff and other staff members and would help to overcome the Secretariat's difficulties in attracting and retaining sufficiently qualified language staff. His delegation supported the reclassification proposals in the report which, in his view, dealt with the problem adequately. It had observed, however, that no reference was made to the distribution of the reclassified posts among the six language services in proportion to their respective staffing tables. That was an unacceptable omission. It could be seen from paragraph 6 (a) of the report that it was proposed to increase the number of P-4 copy-preparers and proof-readers from 1 to 4. If the four posts were distributed among the six language services, two services would have no share in them.

71. As far as self-revision was concerned, his delegation had expressed strong reservations on the subject during the discussion on the report of the

/...

(Mr. Hamzah, Syrian Arab Republic)

Joint Inspection Unit on evaluation of the translation process in the United Nations system (A/35/294). In deference to the Chairman's request, however, he would refrain from commenting further on the matter. His delegation fully supported draft resolution A/C.5/35/L.45.

72. Mr. VISLYKH (Union of Soviet Socialist Republics) said that his delegation had always had a great understanding of the needs of the language staff and had endeavoured to promote their career prospects and improve their working conditions. It had welcomed the report of the Joint Inspection Unit (A/35/294) on account of its comprehensive approach and useful recommendations. He drew attention in particular to the statement in paragraph 54 of that report to the effect that the Inspectors did not believe that any general upgrading of translator posts without accompanying and substantial additional professional responsibilities would help to solve existing problems, or that a separate category for translators would be justified if its effect were to increase salaries without a corresponding increase in responsibilities.

73. The report now under consideration, however, showed an entirely different approach, which the Committee had frequently condemned. Only recently, the Fifth Committee had approved the ninth report of the Advisory Committee (A/35/7/Add.8), on reclassification of regular budget posts), which affirmed that post should be reclassified only when it had been determined in the light of strict criteria that there had been a significant change in the nature of the duties and responsibilities. In paragraph 44 of that report, the Advisory Committee had expressed the opinion that requests for reclassification which were motivated by the desire to reward meritorious service were inconsistent with the introduction of job classification standards.

74. The report of the Secretary-General (A/C.5/35/75) embodied an inequitable approach to the various categories of language staff. While suggesting that all categories should receive equal benefits from reclassification, it was proposed that the translators alone should have additional responsibilities. The adoption of such a recommendation would imply that the work of interpreters and verbatim reporters was more complex and more highly qualified than that of translators, and there would be a violation of the principle of equal pay for equal work. The Secretary-General's proposals for the reclassification of all categories of language staff were based on two arguments. The first was the alleged difficulty in recruiting and retaining highly-qualified language staff. During the discussion on the subject in ICSC, his delegation had called for information from the Secretariat on the number of staff members who had left the Organization because of inadequate salary or poor career prospects. It had not been told of a single case in which that had occurred. If the Secretariat was able to furnish any such information, his delegation would be pleased to study it.

75. The second argument was that the language staff had very limited career prospects, their advancement usually being confined to promotions from the P-2 to the P-3 level and from the P-3 to the P-4 level. It was stated in paragraph 16 of the report of the Advisory Committee (A/35/7/Add.8), however, that the career span of Professional staff often covered only two grades and involved one promotion (from P-3 to P-4).

/...

(Mr. Vislykh, USSR)

76. Before taking any decision, his delegation wished to have information: firstly, on the working conditions of interpreters outside the United Nations system; secondly, on the financial implications of the proposed reclassifications; and, thirdly, on the way in which the reclassification was to be implemented in the various language services.

77. His delegation was unable to support draft resolution A/C.5/35/L.45, which maintained no relationship between the proposed reclassifications and a corresponding increase in responsibilities of the language staff. If the experiment with self-revision proved unsuccessful, it would be necessary to revert to the existing system, while retaining the reclassified posts. When the draft resolution was put to the vote, his delegation would request that a separate vote should be taken on operative paragraph 1.

78. Mr. STUART (United Kingdom) said that his delegation hoped to be able to vote in favour of the draft resolution. Before doing so, however, it would like to be assured that operative paragraph 1 presented no difficulties, bearing in mind the Secretariat's intention, as explained at a previous meeting, to implement the proposals on a basis of strict equality among the six language services.

79. With regard to operative paragraph 2, his delegation understood that the Secretary-General's proposals were intended to improve the career prospects of all language staff without lowering the quality of the services provided and at no additional cost. His delegation had noted from paragraph 12 of the report of the Advisory Committee (A/35/7/Add.27) that the representatives of the Secretary-General had confirmed that self-revision would be introduced gradually so as to ensure that it was performed only by competent and experienced translators. That assurance appeared to meet the requirements of operative paragraph 2 of the draft resolution. He would welcome confirmation, however, that the Secretariat shared his delegation's interpretation of the draft resolution and foresaw no financial implications for 1981 or for the biennium 1982-1983.

80. Mr. WANG Chengwei (China) said that his delegation recognized that the career prospects of the language staff were limited and that reclassification was necessary. It shared the view that it was essential to ensure that self-revision did not affect the quality of United Nations documents. If a translator failed to understand the meaning of the original text, it would be difficult for him to correct his own mistakes. Caution should be exercised, therefore, in introducing self-revision.

The meeting rose at 6 p.m.