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### REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

#### Proposed statutes of the regional institutes for population studies at Accra and Yaoundé

#### Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the note by the Secretary-General on the proposed statutes of the regional institutes for population studies at Accra and Yaoundé (A/37/236). Proposed statutes for the institutes were first before the Assembly at its thirty-sixth session (A/36/569), but consideration was deferred upon recommendation of the Advisory Committee (decision 36/450 of 18 December 1981).
2. As indicated by the Secretary-General in paragraph 3 of his note, the proposed statutes now under consideration incorporate the observations of the Office of Legal Affairs, the Office of Financial Services and the Office of Personnel Services, and they have been approved by the Conference of Ministers of the Economic Commission for Africa (ECA) at its 8th meeting in April 1982.
3. The report of the Advisory Committee on the statutes as originally proposed contained a number of observations on the financing of the institutes and personnel arrangements (A/36/670). For the most part, the Advisory Committee finds that the statutes as now proposed meet the concerns of the Committee expressed last year. There are a number of points, however, which in the view of the Committee require comment, although amendments to the statutes are not necessary. In this connexion, the Advisory Committee notes that both proposed statutes are parallel in both format and content; text references in the paragraphs below thus apply to both proposed statutes.
4. Articles 6 and 7 of the proposed statutes provide that the Secretary-General shall appoint the Directors and the professional staff of the institutes and that

the General Service staff shall be appointed by the Executive Secretary of ECA. The Advisory Committee assumes that the Directors and the staff of the institutes shall be officials of the United Nations within the meaning of Article 105 of the Charter of the United Nations and of other international agreements and United Nations resolutions defining the status of officials of the Organization. The Committee trusts that the relevant letters of appointment will specify that staff members are specifically recruited for the institutes and as such are limited to service with the institutes. 1/

5. Paragraph 2 (b) of article 7 of the proposed statutes provides that the Directors shall submit the work programme and corresponding budgets of their institutes to their respective Governing Council. Under article 4, paragraph 6 (e), the Governing Council shall examine and approve the work programmes and budgets. Bearing in mind the fact that the institutes are to be financed by voluntary contributions (article 11 of the proposed statutes), the Committee expects that proposed work programmes and budgets will be based on as firm estimates of income as possible, taking into account only those pledges which have actually been received or confirmed in writing.

6. Article 9 and paragraph 4 of article 11 of the proposed statutes deal with assistance by the secretariat of ECA to the institutes. The Committee trusts that where such assistance involves the utilization by the institutes of the administrative, personnel or financial services of the United Nations, the conditions for such utilization will include the principle that no extra cost to the regular budget of the United Nations is to be incurred and that the clearly identifiable costs of such services will be reimbursed.

#### Conclusion

7. The Advisory Committee recommends that the General Assembly should approve the proposed statutes of the regional institutes for population studies at Accra and Yaoundé as contained in A/37/236, annex I and II, and should endorse the observations and understandings put forward by the Committee with respect to those statutes.

#### Notes

1/ For example, the letter of appointment of the United Nations Development Programme for a fixed term states that "staff members specifically recruited for the United Nations Development Programme have no entitlement for consideration for posts outside that Programme".

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