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PERSONNEL QUESTIONS

- (a) Geographical distribution of the staff of the Secretariat;
- (b) Proportion of fixed-term staff;
- (c) Other personnel questions

Draft report of the Fifth Committee

Rapporteur: Mr. Niaz A. NAIK (Pakistan)

1. The Fifth Committee considered at its 738th to 743rd meetings agenda item 54, "Personnel Questions".

- (a) Geographical distribution of the staff of the Secretariat;
- (b) Proportion of fixed-term staff

2. The progress that had been made during the past year (1 September 1958 - 31 August 1959) towards achieving a numerical balance of Secretariat posts among nationalities formed the central topic of discussion but, as at previous sessions, attention was also given to the related question of geographical distribution by level of posts. These two questions, together with the proportion of fixed-term appointments, were viewed as parts of a single problem.

3. In measuring what had been accomplished in the year under review, delegations readily acknowledged the many difficulties with which the Secretary-General had to contend. Article 101 (3) of the Charter imposed specific obligations and while it had rightly been argued in the past that no single Member State or group of States had a monopoly of talent, it was not the fact that talent was, by that token, made available to the United Nations on request. The Secretary-General could do nothing if Member States, including a number whose nationals formed a

disproportionately small part of the Secretariat, found it impossible to spare qualified nationals for service in the Secretariat. In some cases Governments were unable to nominate any candidates at all. It was also to be noted that apart from the historical reasons that had led in the early days of the Organization to a serious imbalance among nationalities in the Secretariat, the increase between 1955 and 1959 in the number of authorized posts had not kept pace with the enlarged membership of the United Nations, and further that the Professional establishment had been stabilized for the past two years. However desirable on other grounds, those were retarding factors as regards improvement in geographical distribution. The balance could have been redressed only if the services of qualified staff members had been terminated for reasons of geographical distribution, a measure which the Secretary-General had very properly declined to adopt. In the light of all those considerations, the Secretary-General could reasonably claim that with a Secretariat comprising, in November 1959, seventy-three different nationalities, he had substantially implemented the intent of the Charter.

4. Other delegations considered that little improvement had been recorded in the past year since there still remained nineteen nationalities which had no staff or were below the minimum of the "desirable range" in the Secretariat. There was no justification for regarding efficiency and geographical distribution as conflicting requirements. Article 101 (3) of the Charter provided a harmonious combination of two elements and, if strictly observed, would remove the present undue emphasis on competence and efficiency and afford to all Member States an opportunity of nominating candidates of the requisite quality. Only if all peoples, cultures and systems of government were "represented" could the work of the Secretariat become truly objective and reflect not sectional interests but the interests of all Member States. To that end, the General Assembly had recommended in 1957 (resolutions 1097 (XI) and 1226 (XII) of 27 February and 14 December 1957 respectively) that in future appointments at all levels, appropriate preference should be given to nationalities which formed a disproportionately small part of the Secretariat. The latest statistics (A/C.5/784) showed that too little had been done to comply with that directive. In the past year, only twenty out of eighty-four appointments had gone to nationalities coming within that definition, whereas the nationals of fourteen

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countries which had already exceeded the "desirable range" of posts had received nineteen appointments, including three to posts at high levels. Yet the General Assembly at the previous session had specifically requested the Secretary-General, in striving towards a better geographical distribution of the Secretariat, to give "particular regard to posts at the top level" (resolution 1294 (XIII) of 5 December 1958). Remedial action was clearly necessary; it should be so designed as to promote without delay an equilibrium between the various regions and nationalities. In particular, it would be advisable (a) to limit recruitment to the nationals of Member States which had not yet reached the "desirable range of posts", and (b) to suspend the existing system of career appointments and grant only fixed-term appointments. Apart from restoring the geographical balance, such measures would enable Member States, under a system of rotation, to send some of their nationals to the Secretariat in order to acquire, during a limited period of service, the necessary experience and knowledge of the work of the United Nations.

5. The suggestion for discarding the system of career appointments did not meet with general approval, although some representatives, while opposing such a course, were in favour of a moderate increase in the proportion of fixed-term to career appointments (now standing at 16 per cent). Some staff should, however, continue to be recruited on a career basis in order to maintain a satisfactory ratio between the two categories of staff. There might also be a case for instituting a stricter review of career appointments, not limited to a single review upon completion of five years' service but continuing at intervals throughout the career.

6. Special attention was drawn by some delegations to what they regarded as an unsatisfactory situation that prevailed at the higher policy-making levels of the Secretariat, and to which the Committee had already referred (in a narrower context) in the report on the public information activities of the United Nations (A/4301, paras.28, 29). The posts in question were distributed as follows:

	Nationals of North America and Western Europe	All other regions
Principal officer and higher levels	70	35
Senior officer level	92	47

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7. The point was also made that while there was an evident need to improve the distribution for certain regions, the problem should not be viewed solely from the regional standpoint. For the continent of Africa, for example, two countries had exceeded the "desirable range" while four countries had no nationals in the Secretariat. In that case the imbalance was both regional and national. In other cases, national inequalities might persist in a region that reflected an adequate over-all distribution.

8. Some speakers suggested that in establishing the "desirable range" of posts, account should be taken of additional factors beyond the purely mathematical. It would also make for a more valid comparison between Member States if the difference between the minimum and maximum limits were reduced. In addition, a separate range applying to posts at the Senior Officer and higher levels might be introduced or alternatively a points system, similar to the one in force in UNESCO, for determining the relative importance of posts.

9. Two delegations were of the opinion that the principle of geographical distribution should be applied not only at the stage of recruitment but also in regard to promotion, as a means of achieving a better balance at the higher levels. Other representatives, however, while agreeing with the purpose in view, felt that it would be inequitable to admit the element of nationality into the promotion system. That was an extraneous factor which should not be considered when the work of a staff member and the quality of his performance came under review. It would be unjust to the individual and harmful to the Organization if a well merited promotion was withheld because of the nationality of the person concerned.

10. At the 742nd meeting, the Committee considered the following draft resolution (A/C.5/L.584), which was submitted jointly by Japan, Saudi Arabia and the United Arab Republic:

The General Assembly,

Having considered the report of the Secretary-General regarding the geographical distribution of the staff of the Secretariat of the United Nations (document A/C.5/784),

Noting with appreciation that, during the year 1959, some progress has been made towards the implementation of its resolutions 1097 (XI) of 27 February 1957, 1226 (XII) of 14 December 1957 and 1294 (XIII) of 5 December 1958,

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Noting further that the Secretary-General's efforts are going to continue to accelerate the achievement of an equitable geographical distribution of the staff of the United Nations Secretariat,

Recognizing that without an adequate regional and cultural representation at the policy-making level of the Secretariat of the United Nations, the purposes of the Charter could not be duly served,

1. Recommends that:

(a) In the recruitment of the staff of the Secretariat, priority should be given to candidates from Member States which either do not have nationals on the staff or which have a disproportionately small number of their nationals on the staff;

(b) Vacancies in posts at higher levels of the United Nations Secretariat should be filled, as far as possible, by qualified candidates representative of geographical areas and main cultures which are not represented, or not adequately represented, in these key posts;

(c) More interchange of personnel between Headquarters and the field offices of the United Nations should be carried out whenever possible;

(d) The Secretary-General's endeavours to increase the number of the Secretariat staff appointed on a fixed-term contract, should be continued and encouraged;

2. Requests the Secretary-General to report to the General Assembly at its fifteenth session on the progress made in this regard.

11. The representative of the United Arab Republic explained that in the hope of achieving unanimous acceptance of the proposed text, the authors of the joint draft resolution had refrained from including a paragraph concerning the factor of geographical distribution in relation to promotion, although several delegations had referred to that question.

12. The Netherlands representative proposed the following amendments:

(a) To insert, at the end of the third preambular paragraph, the words "within the provisions of Article 101 of the Charter"; and

(b) To insert the word "qualified" before the word "candidates" in operative paragraph 1 (a).

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The sponsors accepted the latter amendment, and as regards the former, agreed to embody the tenor of it in an opening paragraph reading: "Recalling the provisions of Article 101 of the Charter,".

13. The Ethiopian representative proposed the insertion after operative paragraph 1 (b) of a new sub-paragraph reading: "(c) Constructive action should be taken in the application of the principle of adequate geographical representation to the appointment as well as to the promotion of the staff of the Secretariat;".

14. The representative of the Secretary-General reminded the Committee that at the twelfth session the Committee had been in general agreement that the principle of geographical distribution could not in equity be invoked as a barrier to promotion and that merit alone should be the decisive factor in the advancement of the staff member (A/3797, para. 36).^{1/} Matters relating to the promotion of staff were within the prerogative of the Secretary-General. The system in force was based exclusively on merit and seniority, and if other considerations were admitted, they would not only cause injustice by thwarting merited promotions but make the promotion system virtually unworkable.

15. In withdrawing his amendment the representative of Ethiopia said that his insistence on the importance of geographical distribution implied no disregard of the paramount consideration set forth in Article 101 (3) of the Charter, nor was it his intention in any way to encroach on the Secretary-General's prerogatives.

16. The result of the voting on the draft resolution (A/C.5/L.584), as amended by the sponsors, was as follows:

	<u>In favour</u>	<u>Against</u>	<u>Abstentions</u>
Operative paragraph 1 (a)	53	0	5
Operative paragraph 1 (b)	57	0	3
Operative paragraph 1 (c)	46	0	14
Draft resolution, as amended by the sponsors, as a whole	59	0	2

^{1/} Official Records of the General Assembly, Twelfth Session, Annexes, agenda item 51.

Recommendation of the Committee

17. The Fifth Committee therefore recommends to the General Assembly the adoption of the draft resolution annexed to the present report.

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Other action by the Committee

18. At its 743rd meeting, the Committee took note of the report of the Secretary-General (A/C.5/785) on the proportion of fixed-term staff.

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(c) Other personnel questions

19. The Committee took note, at its 743rd meeting, of the report on definitions of dependency (A/C.5/780) in which the Secretary-General recommended that the existing definitions should be continued, subject to whatever minor adjustments experience might show to be warranted.

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GEOGRAPHICAL DISTRIBUTION OF THE STAFF OF THE SECRETARIAT OF THE
UNITED NATIONS

The General Assembly,

Recalling the provisions of Article 101 of the Charter,

Having considered the report of the Secretary-General regarding the geographical distribution of the staff of the Secretariat of the United Nations (document A/C.5/784),

Noting with appreciation that, during the year 1959, some progress has been made towards the implementation of its resolutions 1097 (XI) of 27 February 1957, 1226 (XII) of 14 December 1957 and 1294 (XIII) of 5 December 1958,

Noting further that the Secretary-General's efforts are going to continue to accelerate the achievement of an equitable geographical distribution of the staff of the United Nations Secretariat,

Recognizing that without an adequate regional and cultural representation at the policy-making level of the Secretariat of the United Nations, the purposes of the Charter could not be duly served,

1. Recommends that:

(a) In the recruitment of the staff of the Secretariat, priority should be given to qualified candidates from Member States which either have no nationals on the staff or which have a disproportionately small number of their nationals on the staff;

(b) Vacancies in posts at higher levels of the United Nations Secretariat should be filled, as far as possible, by qualified candidates representative of geographical areas and main cultures which are not represented, or not adequately represented, in these key posts;

(c) More interchange of personnel between Headquarters and the field offices of the United Nations should be carried out whenever possible;

(d) The Secretary-General's endeavours to increase the number of the Secretariat staff appointed on a fixed-term contract should be continued and encouraged.

2. Requests the Secretary-General to report to the General Assembly at its fifteenth session on the progress made in this regard.