



FIFTH COMMITTEE
57th meeting
held on
Monday, 6 December 1982
at 10.30 a.m.
New York

SUMMARY RECORD OF THE 57th MEETING

Chairman: Mr. ABRASZEWSKI (Poland)

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The meeting was called to order at 10.50 a.m.

AGENDA ITEM 103: PROGRAMME BUDGET FOR THE BIENNIUM 1982-1983 (continued)

Use of experts and consultants in the United Nations (continued) (A/37/358 and Corr.1 and 2 and Add.1, A/37/684; A/C.5/37/27)

1. Mr. KOULIK (Ukrainian Soviet Socialist Republic) said that the report of the Joint Inspection Unit on the use of consultants and experts in the United Nations (A/37/358) showed that the problem of the use of such staff was fairly acute. The report indicated, in paragraph 2, that in recent years the rate of growth of appropriations for consultants and experts had been twice as high as that of the regular budget. The report also correctly noted, in paragraph 3, that the rapid increase in expenditure on outside expertise was not the only cause of the concern of Member States, and referred to other shortcomings which, unfortunately, had not been eliminated.
2. Interesting data on the purposes for which consultants had been hired for the 1980-1981 period was provided in table 1 of the report of the Secretary-General (A/C.5/37/27). Thus the proportion of consultants hired in 1981 for "programme implementation" had been more than three times greater than in 1980, while the proportion of consultants hired for special analytical studies had markedly decreased. The decline in the proportion of "advisory services" provided by consultants was also surprising since that was their basic purpose. Thus there was an obvious need for a radical improvement in the entire mechanism of hiring experts and consultants in the United Nations system, and a unified approach to determining the level of their remuneration. His delegation supported the JIU's recommendations and hoped that their adoption and rapid implementation would help reduce financial expenditure under the United Nations regular budget and enhance the effectiveness of the work of the Organization.
3. Mr. ZINIEL (Ghana) said that the report of the Joint Inspection Unit (A/37/358) was detailed and extremely useful. The Unit's recommendations merited attention, especially since programme managers in the Secretariat had failed to comply with the guidelines on the use of consultants. Appropriations for consultants had increased almost three and a half times over the past decade, compared with a threefold increase in the regular budget over the same period. The comment by the Secretary-General in document A/37/358/Add.1 that he had exercised restraint in the use of consultants and that their increased use was largely attributable to action taken by legislative organs subsequent to the presentation by him of his programme budget proposals was misleading. The report of the Joint Inspection Unit quoted examples of consultants hired because the full-time staff were fully occupied, a situation in which consultants should not, in his delegation's view, have been taken on. His delegation supported the JIU conclusions and recommendations, and had taken note of the reservations expressed by the Advisory Committee in paragraph 6 of its report (A/37/684).

4. Mr. TOMMO MONTHE (United Republic of Cameroon) said that the report of the Joint Inspection Unit was extremely valuable. His delegation supported in particular recommendation 5 (b) and wished to draw to the attention of the Secretary-General the Unit's remarks on the geographical distribution of consultants. It agreed with the Unit that the establishment of productivity norms would increase the efficiency of the Secretariat and reduce the need for consultants (recommendation 3). Moreover, delegations would be aware of the Secretariat's capacity and could tailor their requests for additional studies accordingly. His delegation also supported recommendation 2, calling for a new administrative instruction on the use of outside expertise.

5. Mrs. de HEDERVARY (Belgium) regretted that document A/C.5/37/27 contained no information on the number of women employed as consultants.

AGENDA ITEM 106: ADMINISTRATIVE AND BUDGETARY CO-ORDINATION OF THE UNITED NATIONS WITH THE SPECIALIZED AGENCIES AND THE INTERNATIONAL ATOMIC ENERGY AGENCY

(b) IMPACT OF INFLATION AND MONETARY INSTABILITY ON THE REGULAR BUDGET OF THE UNITED NATIONS (continued) (A/C.5/37/39; A/C.5/37/L.31, L.34 and L.35)

6. The CHAIRMAN said it appeared that attempts to reach an agreed position on the draft resolution in document A/C.5/37/L.31 had been unsuccessful. He appealed to Members to conclude consideration of the item with the least possible delay and to avoid procedural debate.

7. Mr. FONTAINE ORTIZ (Cuba) said that there had been a frank exchange of views in the informal consultations on draft resolution A/C.5/37/L.31. The sponsors had accepted certain amendments, which had enriched the draft resolution and which would facilitate preparation of the study requested. In the fourth preambular paragraph, the words "an additional procedure that would" should be replaced by "continuing study of procedures that can". In addition, paragraph 3 had been deleted since certain delegations had had difficulty in accepting it. Unfortunately, the sponsors had been unable to satisfy the objections raised by all delegations, some of whose amendments would have emasculated the resolution.

8. Mr. PEDERSEN (Canada), introducing the amendment in document A/C.5/37/L.34, said that the question considered in draft resolution A/C.5/37/L.31 was of world-wide concern, and that there was a need to avoid prejudging or politicizing the issue. The sponsors of the amendment in document A/C.5/37/L.34 believed that the adoption of certain management practices by the Secretary-General would assist in solving the problems caused by inflation.

9. Mr. MAJOLI (Italy), introducing the amendment in document A/C.5/37/L.35, said that its aim was to remove any cause of contention in a matter of concern to all. There was no need to politicize the question by stating that some countries were more responsible than others. Inflation might be controlled if States adopted a

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(Mr. Majoli, Italy)

constructive attitude. The amendment simplified the draft resolution and stressed the common interest in combating inflation.

10. Mr. FONTAINE ORTIZ (Cuba) said it was obvious that not all countries were equally responsible for inflation. The policies of certain countries generated inflation, which other countries imported owing to their economic relations with the former. It was therefore unfair to consider all countries as being equally to blame.

11. The sponsors of the two texts contained in documents A/C.5/37/L.34 and L.35 had very cleverly presented them as two separate proposals. Taken together as a single text, they constituted an entirely new proposal rather than amendments to draft resolution A/C.5/37/L.31, since they fundamentally altered its substance. The sponsors of the draft resolution did not accept them as amendments, and insisted that the Committee vote first on the draft resolution and then on the new proposal constituted by documents A/C.5/37/L.34 and L.35.

12. Mr. GRODSKY (Union of Soviet Socialist Republics) endorsed the position of the Cuban delegation, since the USSR also felt that documents A/C.5/37/L.34 and L.35 contained new proposals that radically changed the substance of the draft resolution.

13. The Soviet Union would vote against the proposal in document A/C.5/37/L.34, since, in addition to making an unclear reference to "operational" problems that were presumably outside the Committee's purview, it emasculated the draft resolution and represented a departure from the course set by the General Assembly in resolution 36/230. It would also vote against the proposal in document A/C.5/37/L.35, which deleted from the draft resolution a number of paragraphs based on resolution 36/230. Regarding the first preambular paragraph proposed in that document, he said that it would be inappropriate for the Fifth Committee to express itself, let alone take a decision, on inflation as an economic phenomenon; the Second Committee should deal with that question. Moreover, inflation was not simply an objective phenomenon to be combated. Inflation was the result of certain political and economic policies adopted by certain States. Indeed, a number of European and Western countries, including Italy, had themselves not been pleased with United States policies that had generated inflation in Europe. For Italy to assert, therefore that inflation was inevitable was, to say the least, unwarranted. The second preambular paragraph proposed in document A/C.5/37/L.35 also departed from the approach taken by the General Assembly at its thirty-sixth session.

14. Mr. EL SAFTY (Egypt) said that in order to forestall a long procedural discussion, his delegation wished to suggest a compromise text that might meet with consensus. It proposed the following: the first preambular paragraph of draft resolution A/C.5/37/L.31 should be retained; in the second preambular paragraph the words "in those developed countries in which the United Nations makes its expenditures" should be deleted; the third preambular paragraph should be

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(Mr. El Safty, Egypt)

deleted; in the fourth preambular paragraph, the words "a continuing study of" (as read out by the representative of Cuba earlier in the meeting) should be replaced by the words "a continuing review of"; the fifth and sixth preambular paragraphs and operative paragraph 1 should be retained; and, in operative paragraph 2, the words "more penetrating, extensive and detailed" should be replaced by the word "comprehensive" and the words "taking duly ... Member States concerned" should be deleted. He requested that the meeting should be suspended for ten minutes so that consultations could be held on his proposals.

15. Mr. FONTAINE ORTIZ (Cuba) said that since the proposals just made by the representative of Egypt were not new to the sponsors of draft resolution A/C.5/37/L.31 and had already been studied in the course of earlier consultations, he was in a position to give the reaction of the sponsors immediately. The Egyptian proposals regarding the first and second preambular paragraphs were already contained, in substance, in documents A/C.5/37/L.34 and L.35, and, like the latter, ran counter to the draft resolution. The amendment proposed by Egypt to the fourth preambular paragraph was not different from the sponsors' own revision and he therefore asked Egypt to withdraw it. The other proposals were counter-productive and would in no way advance consensus. In short, none of the Egyptian proposals was acceptable.

16. The sponsors of the draft resolution were not averse to negotiations, but no progress could be made in a space of 10 minutes, and it would therefore be pointless to suspend the meeting.

17. The CHAIRMAN said that since Cuba, supported by the Soviet Union, had challenged the status of documents A/C.5/37/L.34 and L.35 as amendments, the Committee must now decide whether they were to be considered as amendments to draft resolution A/C.5/37/L.31 or as new proposals in their own right.

18. Mr. DITZ (Austria), speaking on a point of order, asked whether the Egyptian proposals had been withdrawn or were awaiting action by the Committee.

19. Mr. PEDERSEN (Canada) said that the Committee was proceeding in a strange way. If amendments were proposed that were not to the liking of the sponsors of a draft resolution, the Committee was surely not required to decide whether they were in fact amendments. Rule 130 of the rules of procedure clearly defined what an amendment was. If there was any doubt the Committee should obtain a legal opinion first, before putting the question to a vote.

20. The CHAIRMAN said that rule 130 specified that a motion was considered an amendment if it merely added to, deleted from or revised part of a proposal. The representative of Cuba had said that the content of the documents in question would radically change the substance of draft resolution A/C.5/37/L.31. He, as Chairman, therefore had no choice but to put the question to a vote.

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21. Mr. WILLIAMS (Panama) said that there was no point in discussing procedural matters since it was quite apparent that, under the rules of procedure, the proposals contained in documents A/C.5/37/L.34 and L.35 could not be construed as amendments to the draft resolution. The Committee should therefore proceed to a vote on the question. Delegations must not misinterpret the rules of procedure in order to serve their own purposes; the Committee would otherwise constantly find itself requesting legal opinions.

22. Mr. KELLER (United States of America) said that rule 130 was quite clear. The Chairman had quoted only the last sentence; but the first provision, which stipulated that the committee should first vote on the amendment furthest removed in substance from the original proposal, indicated beyond a doubt that amendments could change the substance of a proposal. His delegation maintained that amendments A/C.5/37/L.34 and L.35 were constructive in intent and did not change the substance of draft resolution A/C.5/37/L.31 but merely eliminated certain polemical aspects which had prevented consensus. He agreed with Canada that a legal opinion was needed.

23. The CHAIRMAN said that his aim was always the strict application of the rules of procedure. He read out the full text of rule 130, and said that it was not for the Chairman to pass judgement on whether the proposals in documents A/C.5/37/L.34 and L.35 destroyed the substance of the draft resolution in question. He was obliged, therefore, to put the matter to the Committee, and was sure that the United States delegation would recall precedents for so doing.

24. Mr. MERIEUX (France) said that he too had been surprised at the Chairman's interpretation of rule 130 and at his restrictive interpretation of the Chairman's role in regard to that rule. Furthermore, there was no precedent for looking at two separate amendments as one, as the Cuban delegation had done. The two amendments must be voted on separately. The one co-sponsored by France (A/C.5/37/L.34) left the preambular part of the draft resolution intact and merely requested the Secretary-General to carry out a specific task. There was no need for a legal opinion. The question was very clear: the Committee must take a decision on the two amendments separately, and perhaps also on the Egyptian proposals, if they had not been withdrawn.

25. Mr. WILLIAMS (Panama), referring to the statement by the preceding speaker, said that the Committee was master of its own procedures. He formally proposed that the Committee should decide whether the proposals contained in documents A/C.5/37/L.34 and L.35 were amendments or not.

26. Mr. HADID (Algeria) thanked the sponsors of the draft resolution for having accepted the compromise text, thereby making it possible for Algeria to support the draft resolution. He felt that the proposals contained in documents A/C.5/37/L.34 and L.35 were new proposals, not only because they radically altered the substance of the draft resolution but because they ran counter to its thrust and, by referring only to inflation, ignored the question of monetary instability. The two questions must be dealt with jointly, as they were in the Secretary-General's report (A/C.5/37/39).

27. Mr. TOMMO MONTHE (United Republic of Cameroon) said that it was the right of the sponsors of the draft resolution to claim that the proposals in documents A/C.5/37/L.34 and L.35 did not constitute amendments. Such situations had occurred thousands of times. In such a case, the Chairman could either call for a legal opinion or ask the Committee to decide; if there was disagreement concerning which of the two procedures was appropriate, the Committee could vote to resolve that question. The Chairman had therefore acted correctly under the rules of procedure.

28. The Committee decided by 51 votes to 30, with 21 abstentions, that the proposal contained in document A/C.5/37/L.34 was not to be considered an amendment to draft resolution A/C.5/37/L.31.

29. The Committee decided by 54 votes to 29, with 21 abstentions, that the proposal contained in document A/C.5/37/L.35 was not to be considered an amendment to draft resolution A/C.5/37/L.31.

30. Mr. HELLENBERG HUBAR (Netherlands), speaking on a point of order, said that he had noticed during the vote that whenever his delegation voted, the vote of New Zealand also appeared on the board. There was obviously a technical disorder in the machine, which should be rectified.

31. Mrs. DORSET (Trinidad and Tobago), speaking in explanation of vote, said that her delegation wished to make it clear that its vote should not be interpreted as support for the proposals appearing in documents A/C.5/37/L.34 and L.35.

32. Mr. KBAIER (Tunisia) said that his delegation had abstained in the voting because documents A/C.5/37/L.34 and L.35 had been submitted separately; if they had been combined in a single document, his delegation would have considered them to be a new proposal.

33. Mr. LAHLOU (Morocco) said that his delegation's position had reflected its desire that an opportunity should be provided for the consideration of the amendments.

34. Mr. PULLEIRO (Uruguay) said that his delegation had voted in favour, even though it did not agree with the substance of the amendments to draft resolution A/C.5/37/L.31, because it felt that it was very dangerous for the future work of the Committee to separate procedural questions from substantive matters.

35. Mr. PEDERSEN (Canada) asked whether the Egyptian amendments still stood.

36. Mr. EL SAFTY (Egypt) said that since his delegation's proposals had not been accepted by the sponsors of draft resolution A/C.5/37/L.31, they obviously could not serve as the basis for a consensus. However, his delegation requested that the second and third preambular paragraphs and operative paragraph 2 of draft resolution A/C.5/37/L.31 should be put to the vote separately.

37. Mr. FONTAINE ORTIZ (Cuba) said that his delegation felt that the Egyptian representative's request for a separate vote pursued the same objective as the amendments put forward in documents A/C.5/37/L.34 and L.35. The fairest course would be to vote on draft resolution A/C.5/37/L.31 as a whole; delegations with reservations would have an opportunity to explain their votes.

38. Mr. KEMAL (Pakistan), speaking on a point of order, said that in accordance with rule 129 of the rules of procedure the Committee had reached the stage where a representative, the representative of Egypt, had moved that parts of the proposal should be voted on separately and another representative, the representative of Cuba, had objected to that course. Thus it should vote on the motion for division.

39. The CHAIRMAN said that he was fully aware of the provisions of rule 129 of the rules of procedure; however, he had not yet announced the beginning of the voting process on draft resolution A/C.5/37/L.31.

40. Mr. LAHLOU (Morocco) said that the purpose of a separate vote on certain paragraphs of the draft resolution was not to eliminate those paragraphs but to show what degree of importance the Committee attached to them. His delegation was therefore in favour of motion for division.

41. The CHAIRMAN invited the Committee to consider the motion for division under rule 129 of the rules of procedure.

42. Mr. KEMAL (Pakistan) said that he supported the motion for division, which was in accordance with democratic procedure. The Committee's decision that documents A/C.5/37/L.34 and L.35 were actually proposals and not amendments was procedural, although it had substantive consequences, but the question of taking a separate vote on the paragraphs in question was one of substance. His delegation was prepared to support the bulk of the draft resolution but had reservations about some of the provisions which it wanted to be able to place on record.

43. Mr. WILLIAMS (Panama) said that he opposed the motion for division; if the Committee voted on some of the paragraphs separately, that would not change the substance of the draft resolution by one iota but would add to the expenses incurred. The Committee was supposed to be keeping down expenses, but each recorded vote cost about \$200.

44. Mr. DITZ (Austria) said that he supported the motion for division. As a small country, Austria understood the feeling of helplessness about inflation and monetary instability but it felt that some aspects of the draft resolution were unnecessarily divisive and would not help the United Nations and the Committee to deal with the problem. The Egyptian proposal would enable delegations to express their reservations.

45. Mr. FONTAINE ORTIZ (Cuba) said that the motion for division was directly connected with the content of documents A/C.5/37/L.34 and L.35 and was therefore unacceptable.

46. At the request of the representative of the United Kingdom, a recorded vote was taken on the motion for division.

In favour: Australia, Austria, Belgium, Botswana, Brazil, Burma, Canada, Denmark, Egypt, Finland, France, Germany, Federal Republic of, Ghana, India, Indonesia, Ireland, Israel, Italy, Japan, Kenya, Lesotho, Malawi, Mali, Morocco, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Philippines, Portugal, Qatar, Singapore, Somalia, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Zaire.

Against: Afghanistan, Algeria, Angola, Argentina, Bahrain, Benin, Bhutan, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Dominican Republic, Ethiopia, German Democratic Republic, Guinea-Bissau, Guyana, Hungary, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mexico, Mongolia, Mozambique, Nicaragua, Niger, Nigeria, Panama, Peru, Poland, Romania, Rwanda, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Venezuela, Viet Nam, Yugoslavia.

Abstaining: Bahamas, Barbados, Cape Verde, Central African Republic, Chile, China, Ecuador, Jamaica, Malaysia, Senegal, Sierra Leone, Sudan, Suriname, Trinidad and Tobago, Tunisia, United Republic of Cameroon, United Republic of Tanzania.

47. The motion for division was rejected by 48 votes to 42, with 17 abstentions.

48. The CHAIRMAN invited the Committee to vote on draft resolution A/C.5/37/L/31, as orally revised.

49. Draft resolution A/C.5/37/L.31, as orally revised, was adopted by 64 votes to 22, with 21 abstentions.

The meeting rose at 1.15 p.m.