



General Assembly

Distr.
GENERAL

A/37/761
16 December 1982

ORIGINAL: ENGLISH

Thirty-seventh session
Agenda item 113

UNITED NATIONS PENSION SYSTEM

Report of the Fifth Committee

Rapporteur: Mr. Mohamed Adel EL SAFTY (Egypt)

I. INTRODUCTION

1. At its 4th plenary meeting, on 24 September 1982, the General Assembly decided to include in the agenda of its thirty-seventh session the item entitled:

"United Nations pension system:

"(a) Report of the United Nations Joint Staff Pension Board;

"(b) Report of the Secretary-General"

and to allocate it to the Fifth Committee.

2. The Committee considered the item at its 45th, 48th, 51st, 58th, 63rd and 67th meetings, from 30 November to 13 December 1982. Comments made by delegations and the representatives of the Secretary-General in the course of the discussion on this item are reflected in the relevant summary records (A/C.5/37/SR.45, 48, 51, 58, 63 and 67).

3. The Committee had before it the following documents:

(a) Report of the United Nations Joint Staff Pension Board for 1982, 1/ including the report of the Board of Auditors on the accounts of the United

1/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 9 (A/37/9 and Corr.1-3).

Nations Joint Staff Pension Fund for the year ended 31 December 1981, and containing a draft resolution proposed for adoption by the General Assembly;

(b) Report of the International Civil Service Commission; 2/

(c) Report of the Secretary-General on investments of the United Nations Joint Staff Pension Fund (A/C.5/37/16);

(d) Report of the Advisory Committee on Administrative and Budgetary Questions (A/37/674);

(e) Note by the Secretary-General on the financial implications of extending participation in the United Nations Joint Staff Pension Fund to officials other than staff members (A/C.5/37/90 and Add.1).

4. The reports of the United Nations Joint Staff Pension Board and of the International Civil Service Commission were introduced by the respective Chairmen at the 45th and 28th meetings of the Committee, on 26 November and 8 November (A/C.5/37/SR.45 and 28).

II. CONSIDERATION OF PROPOSALS

5. In the course of its deliberations, the Fifth Committee considered one draft resolution and two draft decisions, as set forth below.

A. Draft resolution recommended by the United Nations Joint Staff Pension Board (A/37/9, annex XI)

6. At the 63rd meeting, on 10 December, Mr. Maycock, Vice-Chairman of the Committee, following informal consultations, introduced amendments (A/C.5/37/L.40) to the draft resolution contained in annex XI to the report of the United Nations Joint Staff Pension Board as follows:

(a) Replace operative paragraph 2 in section I with the following:

"Requests the International Civil Service Commission, in co-operation with the United Nations Joint Staff Pension Board, to undertake the study of a uniform age of separation and of retirement in all member organizations, bearing in mind all the relevant resolutions of the General Assembly, and to submit proposals based thereon to the thirty-eighth session of the United Nations General Assembly."

2/ Ibid., Supplement No. 30 (A/37/30), chap. III.

(b) "Add the following sections V and VI:

"V

"Financial obligations of pensioners to their spouses or former spouses

"Taking note of section F of the report of the United Nations Joint Staff Pension Board concerning the absence of effective measures for dealing with the financial obligations of a pensioner to his or her spouse or former spouse which, in some cases, might give rise to serious hardship,

"Requests the Board to pursue the search for such measures along the lines indicated in paragraph 84 of its report or by any other methods and to report thereon at the thirty-eighth session of the General Assembly;

"Also requests the Board to examine the effects of the dissolution of a marriage on survivors' entitlements, together with the possibility of granting such benefits to spouses whose marriage was contracted after the service of a participant had ceased, and to report thereon to the General Assembly not later than at its thirty-ninth session;

"Further requests the Board in formulating proposals with regard to the above, to bear in mind that these should have no financial implications for the Fund.

"VI

"Eliminating the possibility of excluding or preventing staff members from participating in the Fund

"Takes note of the views expressed by the Board in paragraphs 24 and 25 in Section III.A.2 (c) of its report;

"Requests member organizations of the Fund to furnish to the Board without delay information regarding exclusions of members of their staff from participation in the Fund;

"Requests the Board, in the light of such information, to submit proposals to the thirty-eighth session of the General Assembly for removing the exclusion provision from article 21 of the Regulations of the Fund."

7. At the 67th meeting, on 13 December, the Vice-Chairman introduced a revised amendment (A/C.5/37/L.40/Rev. 1) which would add the following at the end of operative paragraph 3 in section I:

"with the exception of the proposed supplementary article B which should be further studied by the Board in the light of the comments of the Advisory Committee in paragraph 27 of its report (A/37/674), with a report thereon to be submitted to the General Assembly at its thirty-eighth session;"

/...

8. At the same meeting, the Committee voted on the draft resolution recommended by the Board and on the amendments thereto, as follows:

(a) The amendment to operative paragraph 3 in section I (A/C.5/37/L.40/Rev.1, para.2) was rejected by a vote of 31 to 31, with 24 abstentions;

(b) The Committee adopted, without a vote, the addition of sections V and VI in the amendments (A/C.5/37/L.40/Rev.1, para. 3) and the revised operative paragraph 2 (A/C.5/37/L.40/Rev.1, para. 1) as further orally amended by the representatives of Kenya and Ghana as follows:

"Requests the International Civil Service Commission, in co-operation with the United Nations Joint Staff Pension Board, to undertake the study of the age of separation and of retirement in all member organizations, bearing in mind all the relevant resolutions of the General Assembly, together with the views expressed in the Fifth Committee and to submit proposals based thereon to the thirty-eighth session of the United Nations General Assembly."

(c) The draft resolution contained in annex XI of the report of the Board (A/37/9), as amended, as a whole, was adopted by 85 votes to 1, with 15 abstentions (see para. 12).

B. Transitional measures for serving members of the Joint Inspection Unit

9. At the 67th meeting, on 13 December, the Committee also decided to recommend transitional measures with respect to officials currently serving as members of the Joint Inspection Unit (see para. 13, draft decision I).

C. Draft decision A/C.5/37/L.41

10. At the 63rd meeting, on 10 December, Mr. Maycock, Vice-Chairman of the Committee, following informal consultations, introduced a draft decision (A/C.5/37/L.41).

11. At the 67th meeting, on 13 December, the Committee adopted draft decision A/C.5/37/L.41 without a vote (see para. 13, draft decision II).

III. RECOMMENDATIONS OF THE FIFTH COMMITTEE

12. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the United Nations Joint Staff Pension Board

The General Assembly,

Having considered the report of the United Nations Joint Staff Pension Board to the General Assembly and to the member organizations of the United Nations Joint Staff Pension Fund for 1982, 3/ chapter III of the report of the International Civil Service Commission 4/ and the related report of the Advisory Committee on Administrative and Budgetary Questions, 5/

Noting, in particular, the unanimous proposals made by the Board in response to the request of the General Assembly to undertake a comprehensive analysis of all possible measures to improve the actuarial balance of the Fund, bearing in mind the views expressed in the Fifth Committee,

Noting further that a co-operative effort by member organizations, participants and beneficiaries - sharing equitably the burdens such measures may impose on them - is required if the actuarial imbalance is to be reduced significantly,

I

Measures to improve the actuarial balance of the Fund

1. Approves the measures designed to achieve that end which are contained in section III.A of the report of the United Nations Joint Staff Pension Board to the General Assembly; 3/
2. Requests the International Civil Service Commission, in co-operation with the United Nations Joint Staff Pension Board, to undertake the study of the age of separation and of retirement in all member organizations, bearing in mind all the relevant resolutions of the General Assembly together with the views expressed in the Fifth Committee, and to submit proposals based thereon to the General Assembly at its thirty-eighth session;
3. Amends, with effect from 1 January 1983, the Regulations of the United Nations Joint Staff Pension Fund, without retroactive effect, as set forth in annex XII of the report of the Board, and the pension adjustment system in accordance with annexes IX and X thereof;

3/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 9 (A/37/9 and Corr.1, 2 and 3)

4/ Ibid., Supplement No. 30 (A/37/30).

5/ A/37/674.

II

Admission to membership of the European and Mediterranean Plant
Protection Organization

Decides to admit the European and Mediterranean Plant Protection Organization to membership in the United Nations Joint Staff Pension Fund, in accordance with article 3 of the Regulations of the Fund, with effect from 1 January 1983;

III

Emergency Fund

Authorizes the United Nations Joint Staff Pension Board to supplement the voluntary contributions to the Emergency Fund, for a further period of one year, by an amount not exceeding \$100,000;

IV

Administrative expenses

Approves expenses, chargeable directly to the United Nations Joint Staff Pension Fund, totalling \$5,955,300 (net) for 1983 and reductions of \$205,400 (net) for 1982 for the administration of the Fund;

V

Financial obligations of pensioners to their spouses or former spouses

1. Takes note of section F of the report of the United Nations Joint Staff Pension Board concerning the absence of effective measures for dealing with the financial obligations of a pensioner to his or her spouse or former spouse which, in some cases, might give rise to serious hardship;
2. Requests the Board to pursue the search for such measures along the lines indicated in paragraph 84 of its report or by any other methods and to report thereon to the General Assembly at its thirty-eighth session;
3. Also requests the Board to examine the effects of the dissolution of a marriage on survivors' entitlements, together with the possibility of granting such benefits to spouses whose marriage was contracted after the service of a participant had ceased, and to report thereon to the General Assembly not later than at its thirty-ninth session;
4. Further requests the Board, in formulating proposals with regard to the above, to bear in mind that these should have no financial implications for the Fund;

VI

Elimination of the possibility of excluding or preventing staff members from participation in the Fund

1. Takes note of the views expressed by the Joint United Nations Staff Pension Board in paragraphs 24 and 25 in section III.A.2 (c) of its report;
2. Requests member organizations of the Joint United Nations Staff Pension Fund to furnish to the Board, without delay, information regarding exclusions of members of their staff from participation in the Fund;
3. Requests the Board, in the light of such information, to submit proposals to the General Assembly at its the thirty-eighth session for removing the exclusion provision from article 21 of the Regulations of the Fund.

DRAFT DECISION II

Investments of the United Nations Joint Staff Pension Fund

The General Assembly, recalling its resolution 36/119 of 10 December 1981, takes note of the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund. 6/

*
* *
*

13. The Fifth Committee also recommends to the General Assembly the adoption of the following draft decisions:

DRAFT DECISION I

Transitional measures for serving members of the Joint Inspection Unit

The General Assembly decides that the following provisions shall apply with regard to persons currently serving as Inspectors in the Joint Inspection Unit:

(a) Serving Inspectors shall have the option of membership in the United Nations Joint Staff Pension Fund or remaining in the Provident Fund for members of the Unit;

6/ A/C.5/37/16.

(b) Serving Inspectors who decide to join the United Nations Joint Staff Pension Fund shall have the option of joining either with effect from 1 January 1983 or from the date their service with the Unit began; if an inspector opts to join the United Nations Joint Staff Pension Fund from 1 January 1983, the amounts credited to him in the Provident Fund for his service prior to 1 January 1983, plus his pro rata share of the residual interest earnings, shall be paid to him.
