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Chairman: Ms. Wensley (Australia)
*Chairman of the Advisory Committee on Administrative
and Budgetary Questions:* Mr. Mselle

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The meeting was called to order at 10.10 a.m.

Agenda item 164: Human resources management

(A/53/955; A/54/164, A/54/165, A/54/257, A/54/272, A/54/276, A/54/279 and Corr.1 and A/54/450; A/C.5/54/2, A/C.5/54/4 and A/C.5/54/21; A/C.5/54/L.3)

1. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) introduced the Advisory Committee's report on human resources management (A/54/450), the first part of which dealt with the question of the competitive examination for promotion to the Professional category of staff members from other categories. After a careful review of the note by the Secretary-General on that matter (A/C.5/54/2) and after an exchange of views with the representatives of the Secretary-General, the Advisory Committee had decided to recommend to the General Assembly that it should take a policy decision as to whether the competitive examination was a recruitment or a promotion exercise, a decision which, as indicated in paragraph 13 of the Advisory Committee's report, could lead to a decision on the abolition or retention of the competitive examination. In the second part of its report the Advisory Committee dealt with the question of consultants and individual contractors, noting with satisfaction that the Secretariat had improved the presentation of its report on that subject. The Advisory Committee considered, however, that the question of monitoring the procurement and evaluation of consultant services needed further improvements, together with the recording and accounting of expenditure. That would be facilitated by the installation of the Integrated Management Information System (IMIS) in all offices away from Headquarters. In the final part of its report the Advisory Committee made brief comments on the delegation of authority, amendments to the Staff Regulations and post structure in the Secretariat. With regard to the delegation of authority, the Advisory Committee considered that much remained to be done. In its first report on the biennium 1998-1999 (A/52/7/Rev.1, para. VIII.42) it had stressed the need to be clear as to what would and would not be delegated, to establish effective transparent mechanisms for monitoring delegation of authority, and to simplify and streamline related rules for the delegation of authority.

2. Addressing the question of personnel policies and practices, he said that paragraph 9 of the note by the Secretary-General (A/C.5/54/21) indicated that a report

on the implementation of resolution 53/221 would be submitted to the General Assembly at its fifty-fifth session. The Advisory Committee had therefore decided to await the submission of that report before making further comments on the matter. With respect to the suggestion made by the Secretary-General in paragraph 10 of his note, the Advisory Committee thought that it might be misconstrued as an attempt to formalize a procedure for prior review by the Secretariat of the texts of draft resolutions on personnel questions. The representatives of the Secretary-General had assured the Advisory Committee that it was not the intention to interfere in the decision-making process of the General Assembly. The Advisory Committee also noted that in recent years opportunities had been given to Secretariat officials to offer extensive information on personnel issues being debated in the Fifth Committee. He considered, nevertheless, that there was a need to explore further ways of improving the quality and timing of the information currently supplied to the Fifth Committee on those issues.

3. The comments of the Advisory Committee on the reports on gratis personnel were contained in document A/54/470 and were self-explanatory. However, in the course of the Committee's review of a further report (A/54/533) submitted subsequently by the Secretariat, it had become apparent that different approaches had been followed in inviting Member States to provide the 17 gratis personnel for the United Nations Interim Administration Mission in Kosovo (UNMIK), on the one hand, and the 300 gratis personnel for exhumation activities in Kosovo, on the other. The Secretariat might wish to provide further clarification on that subject.

4. With regard to the statement of the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission (A/54/30) submitted by the Secretary-General in document A/54/434, the Advisory Committee had no objection to the proposal made in paragraph 15 that additional requirements for the regular budget in the biennium 2000-2001 would be reflected in the recosting of the programme budget proposals.

5. Introducing the Committee's comments on the revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 1999 (A/54/7/Add.2), he said that at the present stage, the Fifth Committee

should take note of the estimate of \$440,300, on the understanding that such appropriations as might be necessary would be requested by the Secretary-General in the context of a consolidated statement of programme budget implications and revised estimates to be submitted to the General Assembly (para. 7).

6. **Ms. Salim** (Assistant Secretary-General for Human Resources Management), introducing the various reports by the Secretariat on human resources management, recalled, in connection with the note by the Secretary-General on the competitive examination for promotion to the Professional category of staff members from other categories (A/C.5/54/2), that in the debate preceding the adoption of General Assembly resolution 53/221 she had drawn attention to the Secretariat's concern at the request for equitable geographical distribution (sect. V, para. 22), indicating that the G to P examination, unlike the national competitive examination, was not a recruitment examination, but rather a promotion exercise for staff already in service in the Organization, the one and only means of promotion from the General Service category to the Professional category. She had also referred, on that occasion, to the personal and financial commitment made by hundreds of staff in order to sit the examination and had emphasized that the introduction of geographical criteria would be extremely damaging for staff morale since staff of all nationalities should be afforded opportunities for career growth with the Organization. In addition, 1,000 staff had sent a letter to the Secretary-General and their concerns had been reiterated by the Staff-Management Coordination Committee.

7. The question was now urgent since the results of the next examination, which would take place in February 2000, would be subject to the outcome of the review of the issue by the General Assembly. The Secretary-General would like the General Assembly to reconsider the issue with a view to removing the concept of equitable geographical distribution as a factor in the alignment of the G to P examination with the national competitive examination.

8. With regard to consultants, she said that, in accordance with General Assembly resolution 53/221, the Secretary-General had prepared a report on the implementation of recommendations by the Board of Auditors on the hiring and use of consultants (A/54/164). In its comments on the report, submitted in document A/54/165, the Board of Auditors welcomed

the action taken by the Secretary-General to implement its recommendations and expressed its belief that such action would strengthen the Secretariat's ability to manage the recruitment of consultants in the most cost-effective manner. The report on consultants and individual contractors (A/C.5/54/4) expanded on the format of previous reports, in accordance with requests made by the General Assembly and by ACABQ, and updated the information provided in the report of the Secretary-General contained in document A/53/548. The report stated that, in response to requests by the General Assembly and by the Board of Auditors for a central roster of consultants, the Office of Human Resources Management (OHRM) had enhanced its database to allow for the worldwide exchange of information on the use of consultants, sorted by occupation. The database would be further improved following the installation of the Integrated Management Information System (IMIS) in offices away from Headquarters. Also, the comprehensive guidelines for the use of consultants approved by the General Assembly in resolution 53/221 had been promulgated in administrative instruction ST/AI/1999/7 and a detailed performance evaluation form for consultants had been developed. She was confident that those measures would produce results and that they would meet the concerns of the General Assembly.

9. Introducing the report on the composition of the Secretariat (A/54/279), she emphasized that, in accordance with the request made in paragraph 4 of section IX of General Assembly 53/221, the report no longer showed the representation of staff by major geographical groupings, but by countries, listed in alphabetical order. The report included a new segment containing a skills inventory of Secretariat staff. As at 30 June 1999, approximately 40 per cent of Secretariat staff had been covered by the inventory. The Secretariat would continue to develop that management tool.

10. She then briefly introduced the note by the Secretary-General on administrative issuances on delegation of authority (A/54/257) and the reports of the Secretary-General on amendments to the Staff Rules (A/54/272) and to the Staff Regulations (A/54/276). The purpose of those amendments was to simplify the Staff Rules and to produce a text of the Staff Regulations drafted in gender neutral terms.

11. In his note on personnel practices and policies (A/C.5/54/21), prepared at the request of the Advisory Committee (A/54/7, para. 104), the Secretary-General identified in paragraph 8 a certain number of decisions by the General Assembly on human resources management that had proven to be problematic in terms of their implementation by the Secretariat, and, again at the request of the Advisory Committee, he made a concrete proposal aimed at facilitating the work of the General Assembly and the Secretariat.

12. The report on the post structure of the Secretariat (A/53/955) was submitted pursuant to the request by the General Assembly in paragraph 19 of section I of resolution 52/220. It provided information on the number of authorized posts in successive bienniums since 1988-1989 by grade and category of staff. With regard to forward-looking human resources management, the Secretary-General's vision for the Organization was set out in his report "Renewing the United Nations: A Programme for Reform" (A/51/950) and in his report on human resources management reform (A/53/414), both of which remained valid. In conclusion, she indicated that document A/C.5/54/L.3 contained the list of staff of the United Nations Secretariat.

13. **Mr. Mabilangan** (Philippines), speaking on behalf of the States members of the Association of South-East Asian Nations (ASEAN), said that the ASEAN countries attached great importance to the issue of human resources management and commended the dedication of the Secretary-General and the Organization's staff. He paid tribute to those who had given their lives in the service of the United Nations.

14. ASEAN considered the national competitive examinations to be a means of recruiting nationals from countries that were under-represented or unrepresented in the Secretariat, and it was pleased to note that such examinations were to be conducted in three of its member States in 2000. It was deeply concerned, however, that the introduction by the General Assembly of equitable geographical distribution as part of the alignment of the G to P examination with the national competitive examination (resolution 53/221, sect. V, para. 22) would result in the exclusion from the G to P examination of many General Service staff from developing countries. ASEAN wished to point out that the G to P examination, unlike the national competitive examination, was a promotion exercise, rather than a

recruitment examination, and that nationality should never be a criterion for promotion of staff members; the paramount consideration should be the necessity of securing the highest standards of efficiency, competence, and integrity.

15. The ASEAN countries took note of the reservation expressed by the Advisory Committee in paragraph 3 of its report (A/54/450), but agreed with it that it was incumbent upon the Secretary-General to raise the issue in his report (A/C.5/54/2). Indeed, the General Assembly had itself decided, in paragraph 1 (g) of section I of resolution 33/143, notwithstanding the recommendation by the Joint Inspection Unit in its report of 7 November 1977 (A/32/327) to the effect that geographical distribution should be taken into account, that movement of staff to the Professional category should be based on experience and post-secondary educational qualifications, in accordance with the United Nations ideals of merit and competence. The States members of ASEAN therefore joined with the Secretary-General in requesting the General Assembly at the current session to reconsider the decision taken in paragraph 22 of section V of resolution 53/221.

16. The ASEAN countries also attached great importance to the issue of women's representation and status in the Secretariat. They noted with concern that, despite the increase of 61.4 per cent between 1 July 1995 and 30 June 1999 in the number of female staff members at the D-1 level and above, and although, at that date, 38.1 per cent of posts subject to geographical distribution had been occupied by women (A/54/279, para. 21), gender equality would not be reached in the Professional and higher categories before the year 2012 (para. 46). They urged the Secretary-General to redouble his efforts in that area, particularly with respect to the representation of women from developing countries, and to encourage Member States to submit more female candidates for posts in the categories concerned.

17. **Ms. Durrant** (Jamaica), speaking on behalf of the 14 States members of the Caribbean Community (CARICOM), emphasized that the Fifth Committee must continue to take its decisions in the best interests of all staff. Regarding the hiring of consultants, the CARICOM countries noted with satisfaction that the recommendations of the Board of Auditors had been taken into account. They noted that a clear separation was to be established between the functions of the

office requesting the services of a consultant and the office responsible for the recruitment process (A/54/164, para. 8), and they agreed with ACABQ that a monitoring mechanism should be put in place to ensure the impartial evaluation of the performance of consultants. Also, the implementation of Release 5 of the Integrated Management Information System (IMIS) should make it possible to have a wider choice of candidates and to improve the geographical distribution of the consultants recruited.

18. The CARICOM countries noted from document A/54/257 that authority was increasingly being delegated to programme managers throughout the Organization, although no mechanism had been established for monitoring delegation of authority, nor had any effort been made to streamline the related regulations and rules.

19. The CARICOM countries supported the holding of national competitive examinations in Member States that were under-represented or unrepresented in the Professional category. Since the national competitive examinations and the G to P examination served two distinct functions and the latter examination was the only means of promotion from the General Service category to the Professional category, the CARICOM countries considered any measure aimed at limiting the access of General Service staff to that examination to be contrary to the General Assembly's commitment to a transparent promotion policy and to the objectives relating to competence and professional growth enunciated in paragraph 6 of section VI of resolution 53/221. Furthermore, any measure aimed at restricting the promotion prospects of staff members on the basis of their nationality would be contrary not only to modern human resources management practices, but also to the provisions of the Charter and the other basic instruments of the Organization.

20. The CARICOM countries considered that the filling of 70 per cent of posts through national competitive examinations should enable under-represented and unrepresented States to increase their representation and that the remaining 30 per cent should be reserved for promotions, thereby providing an incentive to staff. They called for the establishment of a mechanism to address both the concerns of nationals affected by resolution 53/221 and those of under-represented and unrepresented countries.

21. Regarding the representation of women in the Secretariat, the CARICOM countries noted that two thirds of staff members who passed the G to P examination were women and that the provisions of paragraph 22 would thus also hinder the attainment of the goal of gender equality in the Secretariat. They were pleased to note, however, that the number of female staff members in the various categories was increasing, and they wished to emphasize that recruitment must be based, first and foremost, on competence. They regretted that the report of the Secretary-General on the improvement of the status of women in the Secretariat (A/54/405) contained no specific information on the measures taken to increase the representation of women from developing countries at the senior level. They noted with satisfaction the introduction of gender-sensitivity training and family leave and the increase in the number of female staff members assigned to peacekeeping missions.

22. **Mr. Tomás** (Mozambique) said, with regard to the report of the Secretary-General on the composition of the Secretariat (A/54/279), that the Government of Mozambique supported the Secretary-General's efforts to institute administrative reform, particularly in the area of human resources management, since the two were interdependent. Despite some encouraging results, notably the stable trend in the representation of Member States over the previous 12 months, Mozambique and a number of other Member States remained seriously under-represented. His delegation urged that nationals of those Member States should be given priority in the recruitment process.

23. His delegation also attached great importance to the equal representation of men and women in the Secretariat and welcomed the progress made in that regard. It was deeply concerned, by contrast, at the slowness of the bureaucratic procedures related to recruitment. He noted, by way of example, that the results of the examination that had taken place in Mozambique in 1998 had not been provided for well over a year. His delegation requested the Secretary-General to make every effort to expedite the recruitment process and to render it more transparent.

24. His Government considered that the need, of which it was fully aware, to provide the Secretariat with qualified staff should not be used as an argument against equitable geographical distribution. Unless that issue received the attention it deserved, many

developing countries would remain marginalized in the United Nations.

25. **Mr. Takasu** (Japan) said that his delegation welcomed the fact that the human resources management reform under way was aimed at enhancing the universal character of the Organization, which, in order to be able to respond to global challenges, must, now more than ever, comply with the provisions of paragraph 3 of Article 101 of the Charter. A prerequisite for achieving that objective was ensuring more equitable geographical representation of Member States among the Secretariat staff. His delegation welcomed the efforts made in that regard and wished to emphasize that the report of the Secretary-General on the composition of the Secretariat always attracted keen interest among policy makers in Japan.

26. His delegation noted with concern that the overall situation with respect to the composition of the Secretariat had changed little over the previous 12 months and, in particular, that the number of Japanese nationals in posts subject to geographical distribution was significantly less than half the figure representing the lower limit of the desirable range. Of the 13 under-represented Member States, Japan's situation was the most serious, and his delegation therefore urged the Secretary-General to take all the necessary measures.

27. Several measures could be taken to redress the geographical imbalance. His delegation could not understand why, for example, of 123 persons recruited to posts subject to geographical distribution over the previous 12 months, only 20 had been from under-represented Member States, and why none of those persons had been appointed to fill one of the 29 posts at the P-5 level and above. Since external recruitment was the only means of improving geographical balance, immediate requests must be made to programme managers to recruit from among candidates from unrepresented and under-represented countries. His delegation urged the Secretariat to take advantage of the retirement of 116 staff members at the Director level and 342 in the Professional category over the next five years to improve geographical representation and gender balance.

28. His delegation wished to emphasize that it was necessary to hire new recruits by means of the national competitive examination. That programme must be expanded since it constituted the most effective tool for improving geographical representation. While efforts

had been made to appoint successful candidates from the national competitive examinations to P-2 and P-3 posts, the recruitment process must be accelerated. In that connection his delegation would like the Secretariat to confirm that no P-2 post had been filled other than through the national competitive examination or the G to P examination. Also, it was deeply concerned at the reduction in the number of P-2 posts, which had fallen by 23 per cent compared with 5.6 per cent for Professional posts overall. His delegation believed that the Organization was depriving itself of the dynamism of young recruits, and it therefore urged the Secretary-General to propose measures to address that situation.

29. In conclusion, he said that his delegation wished to stress that, because it was a system-wide issue, equitable geographical representation was, first and foremost, the responsibility of OHRM and could not be dealt with by each department or office in isolation. Moreover, the Secretary-General had confirmed when he had addressed the Fifth Committee on the item in 1998 that, despite the delegation of authority, that issue would continue, along with other major human resources issues, to be dealt with by OHRM.

30. **Mr. Nakkari** (Syrian Arab Republic) expressed satisfaction that, in conformity with paragraph 4 of section IX of resolution 53/221, the practice of showing representation of staff according to major geographical groupings in the report on the composition of the Secretariat had been discontinued. He asked the Assistant Secretary-General for Human Resources Management in which other reports of the Secretary-General that practice had been employed. He also wished to know what general policy had been adopted by OHRM for filling the vacancies created by retirements.

31. **Mr. Jara** (Chile) said that his Government shared the concern of the Governments of the Philippines and Jamaica at the implications of paragraph 22 of section V of resolution 53/221. His delegation wished to emphasize that the only criteria for promotion within the United Nations should be merit, performance and the results of open and transparent competitive examinations.

32. **Mr. Fedorov** (Russian Federation), emphasizing that the decisions of the General Assembly were binding, expressed surprise at the holding of

competitive examinations that were not in conformity with the rules established by it.

33. **Ms. Madarshahi** (Coordinating Committee for International Staff Unions and Associations of the United Nations System) said that, while the issue of human resources management had been the subject of numerous resolutions and decisions by the Fifth Committee, reform in that area, which was vital given the rapid political and economic changes in the world, was not founded on any long-term strategy, with the result that it left many questions unanswered.

34. Leaving aside the lack of a forward-looking vision, the reform proposed by OHRM failed to address a number of problems facing the Organization. She drew attention, in particular, to the issue of job security; the proliferation of contractual arrangements, which were determined according to criteria that remained obscure; the performance appraisal system, which, as it was currently practised, was of little utility in the majority of cases; the cumbersome, costly and time-consuming nature of the recruitment process for Professional staff at the entry level (P-2); the manipulation of the post classification system; and the lack of transparency in distinguishing between internal and external vacancies. The lack of solutions to those problems was affecting staff morale, which did not serve the Organization's objectives, as was demonstrated by the fact that, in recent years, there had been more resignations at the middle level than retirements. Since the average age of staff members was approximately 49, the Organization must take steps to replace those who were leaving because, according to current estimates, vacancy rates in many departments would reach 50 per cent by 2005. The concept of career management, which was supposed to replace career development following the reform, in fact deprived staff members of any structured support. At the same time, mobility in the United Nations was very low, while only 0.75 per cent of staff costs went on training and staff development. The introduction of the criterion of equitable geographical distribution in relation to the G to P examination (General Assembly resolution 53/221, sect. V, para. 22) constituted another barrier to the advancement of the staff already on board.

35. The reforms proposed failed to address the problems listed since they were restricted to delegating authority for post and staff management to programme managers and simplifying the regulations and rules in

such a way that anyone could use and abuse them. There was a risk that management would become fragmented, with no regard for the overall picture, or any safeguards for the rights of staff members. For that reason the staff had recently adopted at a general meeting a resolution calling, in particular, for the maintenance of the pivotal role of OHRM in all staff matters, as provided for in General Assembly resolution 51/226, and urging the Administration to submit a set of concrete proposals to enforce managerial accountability and ensure proper implementation of the provisions of General Assembly resolutions 51/226 and 53/221 concerning accountability prior to delegation of authority.

36. **Mr. Grandjean** (Federation of International Civil Servants' Associations) said that cooperation must be the watchword for human resources management reform in the organizations of the common system, with all the stakeholders contributing on an equal footing. Yet new strategies were developed by so-called experts behind closed doors, necessitating painful restructuring subsequently.

37. In order to respond to the expectations of Member States, the organizations must promote staff mobility, simplify the recruitment process, improve career development, and earmark at least 2 per cent of their staff costs for training. They must also rethink such practices as outsourcing and the misuse of short-term contracts, otherwise there was a risk that all the institutional memory of the United Nations would be lost. The remuneration of staff members was no longer competitive, and the slow decline to which that situation had led was to be observed not only at headquarters duty stations, but also on the system's front lines, in field offices. If the organizations were to remain cohesive, it was vital to modernize the mechanisms administering the common system, including the International Civil Service Commission, in such a way as to provide the system with an innovative body capable of giving leadership in the area of human resources management.

38. **Ms. Salim** (Assistant Secretary-General for Human Resources Management), referring to the two questions posed by the representative of the Syrian Arab Republic, said that she would reply to the first question at a later date, once she had looked into the matter. With respect to the replacement of staff members who were due to retire, she said that OHRM was working with programme managers to develop,

ahead of time, measures that would enable the problem to be largely resolved and the resources the Organization needed to be replenished.

39. She wished to assure the representative of the Russian Federation that all competitive examinations, in particular the G to P examination, were in full compliance with the current regulations and rules.

Agenda item 118: Review of the efficiency of the administrative and financial functioning of the United Nations *(continued)*

Gratis personnel provided by Governments
(A/53/1028; A/54/470 and A/54/533)

Agenda item 164: Human resources management
(continued)

40. **Ms. Salim** (Assistant Secretary-General for Human Resources Management) introduced the quarterly report for the period 1 April to 30 June 1999 on gratis personnel provided by Governments (A/53/1028), and the quarterly report for the period 1 July to 30 September 1999 and the annual report (1 October 1998 to 30 September 1999) on the use of gratis personnel provided by Governments and other entities, both of which were contained in document A/54/533.

41. **Mr. Albrecht** (South Africa) emphasized the principle affirmed by the Movement of Non-Aligned Countries, both at the Durban Conference in 1998 and at their meeting in New York in 1999, that the programmes mandated by legislative bodies of the United Nations must be implemented by staff of the international civil service, in accordance with General Assembly resolutions 51/243 and 52/234.

Agenda item 121: Proposed programme budget for the biennium 2000-2001 *(continued)*

Administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission (A/54/30 and A/54/434)

42. **Mr. Repasch** (United States of America) said that his delegation took note of the statement of the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission

(A/54/30) submitted by the Secretary-General in document A/54/434 and the comments of the Chairman of the Advisory Committee thereon. His delegation believed that the issue should be considered in the context of the ongoing negotiations on the proposed programme budget for the biennium 2000-2001 given the implications for the proposed programme budget.

43. **The Chairman** said that, if there were no further comments, she would take it that the Committee wished to consider the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission at the same time as the report itself.

44. *It was so decided.*

Revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 1999
(A/54/7/Add.2 and A/54/443)

45. **Mr. Sial** (Pakistan) sought clarification on two points. First, at the end of paragraph 5 of the report of ACABQ (A/54/7/Add.2), the Advisory Committee emphasized the responsibility of the Secretariat to inform the Assembly thoroughly and accurately about whether there were enough resources to implement a new activity. He wished to know whether, in the present case, the Secretariat had surplus resources that would enable it to implement the activities in question or whether it intended to make use of the contingency fund. Second, several points in paragraph 7 of the report required explanation. With respect to the phrase "take note", he pointed out that, according to a legal opinion read out at the 67th meeting of the Fifth Committee on 19 December 1988 (A/C.5/42/SR.67), those words, when applied to the General Assembly, signified that the Assembly had taken cognizance of the Secretary-General's report, without expressing either approval or disapproval, as stipulated in the provisions of paragraph 28 of annex VI to the rules of procedure of the General Assembly. He wondered how the decisions of the Economic and Social Council would be implemented if the Fifth Committee merely took note of the estimates of expenditure, without expressing either approval or disapproval. Next, as he understood it, programme budget implications were usually presented individually, rather than as an overall figure, and the Committee then reached a decision in the context of its consideration of the programme

budget. Finally, revised estimates were generally submitted when the programme budget had been approved, whereas, in the present case, it appeared that the revised estimates before the Committee related to the proposed programme budget for the biennium 2000-2001. The Advisory Committee should specify whether the revised estimates before the Committee related to the programme budget for the biennium 1998-1999 or the proposed programme budget for the biennium 2000-2001.

46. **Ms. Buergo Rodríguez** (Cuba) said that she was waiting for the Secretariat to introduce document A/54/443 before commenting on the issue. She stressed that it was not sufficient for the Chairman of the Advisory Committee to give that Committee's views on the reports of the Secretary-General, as he had done when he had introduced document A/54/7/Add.2. Each report of the Secretary-General must be introduced to the Committee by a representative of the Secretariat.

47. She recalled that, as a result of the negotiations culminating in General Assembly resolutions 52/220 and 53/214, a very delicate political balance had been struck with respect to the financing of the activities of special rapporteurs and the relationship between the decisions of the Economic and Social Council and the use of the contingency fund in general. Since those two resolutions contained very specific provisions on that subject, she was surprised at the manner in which they were interpreted by the Secretariat, as reflected in the annex to document A/54/7/Add.2. Her delegation noted that, since the biennium 1988-1989, the activities under section 22 of the proposed programme budget (Human rights) had been financed in part by means of a contingency fund, its existence being justified on the ground that they were perennial activities. However, the long awaited report on the relationship between the treatment of perennial activities in the programme budget and the use of the contingency fund (A/C.5/52/42), which had first been requested by the General Assembly in section XI of resolution 44/201 B, had not yet been considered by the General Assembly, as stated in the annex to document A/54/7/Add.2. Furthermore, the report in question did not deal with the substantive aspects of the issue. Her delegation therefore wished to reiterate that the General Assembly must take a decision on perennial activities and activities of limited duration and their relationship with the use of the contingency fund.

48. Noting the statement in the annex to the Advisory Committee's report (A/54/7/Add.2) that the procedure for perennial activities, which was also applicable to the financing of the country special rapporteurs, had been established in consultation with the Advisory Committee, in the biennium 1986-1987, she said that her delegation would like the Secretariat to provide details of the Advisory Committee's report on that issue and to clarify the manner in which it was interpreted. It also wished to know what decision the Fifth Committee had reached concerning that report of the Advisory Committee and in what document that decision was to be found.

49. Her delegation also wondered at the reasoning set forth in the last paragraph of the annex to the Advisory Committee's report. The General Assembly did in fact approve the activities of the special rapporteurs because decisions taken by the Commission on Human Rights were submitted to the Economic and Social Council, then to the Third Committee, with a view to their endorsement by the General Assembly. Similarly, her delegation considered, contrary to what was stated in that paragraph, that the activities in question were indeed governed by the provisions of General Assembly resolutions 52/220 and 53/214. She requested that the revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 1999 should be considered in informal consultations and that responses should be provided to the questions she had posed at that time.

50. **Mr. Chandra** (India) noted that an additional provision of \$440,300 had been requested as a result of the resolutions and decisions adopted by the Economic and Social Council at its substantive session of 1999, of which \$353,400 related to section 22 (Human rights). His delegation had already indicated its position concerning the provision for that section and reserved the right to revert to the issue in informal consultations. It shared the concerns of the delegation of Pakistan regarding paragraph 7 of the Advisory Committee's report (A/54/7/Add.2).

51. **Mr. Sach** (Director, Programme Planning and Budget Division), referring to document A/54/443 and, in particular, to the sum of \$353,400 requested under section 22 (Human rights), said that he was not certain that there was a direct link between the issue of perennial activities and the amount requested as a result of Economic and Social Council decision

1999/287. The Fifth Committee had considered the issue of the funding of perennial activities at the fifty-third session of the General Assembly. It had had before it, on that occasion, the report of the Secretary-General on the relationship between the treatment of perennial activities in the programme budget and the use of the contingency fund (A/C.5/52/42) and the related report of ACABQ (A/53/7/Add.9).

52. In paragraph 4 of its report (A/53/7/Add.9), the Advisory Committee had expressed the view that problems in the interpretation of what was a perennial mandate should be settled by the General Assembly. The Advisory Committee had also recommended that the Assembly should take note of the report of the Secretary-General contained in document A/C.5/52/42. He inferred from that recommendation that the Advisory Committee endorsed the content of the report of the Secretary-General. It was clear from that report, in his opinion, that the procedure that had been followed for perennial activities was in complete compliance with established practice and with General Assembly resolution 41/213 and paragraphs 74 to 79 of General Assembly resolution 52/220 concerning non-mandated activities and their funding. The General Assembly had reiterated its view on the issue in resolution 53/214 (sect. IV, paras. 15 to 17).

53. The activities under discussion had been implemented by virtue of a mandate. The Economic and Social Council, as an organ established by the Charter of the United Nations, had every right to take decisions in areas in which it was competent, without the need for approval of those decisions by the General Assembly. By endorsing the recommendation of the Commission on Human Rights concerning country special rapporteurs, the Council had endowed the rapporteurs with a full mandate. The activities of the special rapporteurs funded in the biennium 1998-1999 had all been mandated and by one body alone, the Economic and Social Council. The provisions of resolution 52/220 concerning non-mandated activities (para. 74) did not therefore apply to the resources requested under section 22.

54. **Ms. Buergo Rodríguez** (Cuba) requested that the list of resolutions and decisions adopted by the Economic and Social Council containing the phrase "within existing resources" mentioned by the Advisory Committee in paragraph 5 of its report (A/54/7/Add.2) should be made available to the Committee.

Other matters

55. **Ms. Incera** (Costa Rica) expressed regret that the Chief of the Security and Safety Service had yet to provide information that she had requested on several occasions and asked why he had not done so.

56. **Mr. Moktefi** (Algeria), recalling an incident that had occurred on 13 October on the 39th floor of the Secretariat building near the office of the secretariat of the Group of 77 and China, stressed the gravity of the problem of asbestos and the risks to which both secretariat staff and representatives of Member States were exposed as a result. He repeated in detail the questions he had posed on that issue at a previous meeting so that the Secretariat would be able to provide equally detailed responses.

The meeting rose at 1.10 p.m.