



SUMMARY RECORD OF THE 30th MEETING

Chairman: Mr. OKEYO (Kenya)

Chairman of the Advisory Committee on Administrative and  
Budgetary Questions: Mr. MSELLE

CONTENTS

AGENDA ITEM 117: ADMINISTRATIVE AND BUDGETARY CO-ORDINATION OF THE UNITED NATIONS WITH THE SPECIALIZED AGENCIES AND THE INTERNATIONAL ATOMIC ENERGY AGENCY

- (a) REPORT OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS ON ADMINISTRATIVE AND BUDGETARY CO-ORDINATION

AGENDA ITEM 114: PROGRAMME BUDGET FOR THE BIENNIUM 1988-1989 (continued)

AGENDA ITEM 121: PERSONNEL QUESTIONS (continued)

- (a) COMPOSITION OF THE SECRETARIAT

- (b) RESPECT FOR THE PRIVILEGES AND IMMUNITIES OF OFFICIALS OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES AND RELATED ORGANIZATIONS

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The meeting was called to order at 10.20 a.m.

AGENDA ITEM 117: ADMINISTRATIVE AND BUDGETARY CO-ORDINATION OF THE UNITED NATIONS WITH THE SPECIALIZED AGENCIES AND THE INTERNATIONAL ATOMIC ENERGY AGENCY

(a) REPORT OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS ON ADMINISTRATIVE AND BUDGETARY CO-ORDINATION (A/43/760)

1. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the report of the Advisory Committee (A/43/760), said that the format used was that which had been followed by the Advisory Committee in the past. There had been an exchange of views in the Committee during the preparation of the current report on whether the time had come to reconsider it, and those discussions would continue with a view to identifying any changes that might be needed in the Committee's future reports on the administrative and budgetary co-ordination of the United Nations with the specialized agencies and the International Atomic Energy Agency.
2. The Advisory Committee had devoted particular attention to the impact of currency fluctuations and inflation, and extensive exchanges of views had been held on the matter between representatives of the United Nations and the executive heads of the specialized agencies or their representatives. The results of the study had been incorporated in the current report and the information relating to each specialized agency would be found in the chapter on the agency in question. He would go into the matter in greater detail in the context of the Advisory Committee's report on the outline for the proposed programme budget for the period 1990-1991 which the Advisory Committee would submit to the General Assembly before the adjournment of the current session.
3. Section II of the report contained the Advisory Committee's general observations and nine tables of comparative data. Table A.1, which gave the total amounts of approved regular budgets including supplementary estimates, showed that the regular budgets for 1989 for the United Nations and the specialized agencies would require a total of \$2,121,970,975. Staff costs for the system were explained in paragraph 7, but more instructive information would be found in the table headed "Number of staff", appearing after paragraph 9, which indicated that, while the number of staff budgeted for under the regular budget and extrabudgetary financing was 49,783, the number of participants in the Joint Staff Pension Fund was 53,968.
4. The collection of contributions was, of course, of particular interest to the Advisory Committee. From its exchange of views with the representatives of the specialized agencies, the Committee had noted that many were still experiencing financial difficulties. Although the picture in regard to the collection of contributions might appear to be improving, it did not reflect the real situation as felt by the specialized agencies. The case of the United Nations offered a good example of the gap between expectations and reality. As indicated in table G, "Collection of contributions, 1987-1988", in the case of the United Nations, 63.31 per cent of the current year's contributions had been collected as at

(Mr. Mselle)

30 September 1988, as compared with 30 June 1987 when the percentage had been only 52.04. However, in dollar terms the amount remaining outstanding had increased from \$522,097,000 at 30 September 1987 to \$574,595,000 at 30 September 1988.

5. Table D.2 showed the amounts of extrabudgetary expenditures of the United Nations system of organizations from 1986 to 1987. Table D.1 showed the cash payments received by the organizations in respect of voluntary contributions over the same period, which stood at \$2,974,955,500 as against the \$3,647,415,500 expended.

6. The working capital funds for 1989 were shown in table E. Delegations would be able to see from that table the relative size of the various working capital funds and to note that UPU and ITU had no working capital fund.

7. The remainder of the report was straightforward and he believed that no further clarification was necessary. He stood ready to respond to any questions from delegations.

**AGENDA ITEM 114: PROGRAMME BUDGET FOR THE BIENNIUM 1988-1989 (continued) (A/43/7)**

8. Mr. GOMEZ (Controller) said, in response to the question of the representative of Italy concerning the effort to acquire the land on which the UNITAR headquarters building was situated (A/43/7, para. 14), that the Secretary-General had sought the advice of the Advisory Committee late in March 1988, on appropriate means of financing acquisition of the land so that the United Nations could subsequently dispose of the entire UNITAR property. The General Assembly had approved the proposal for the acquisition and subsequent sale in its resolution 42/197. It had been anticipated that the entire process would be completed within 12 months. The lawyers for the two parties - the United Nations and the prospective sellers - were engaged in active negotiations to finalize the acquisition. UNITAR's current debt to the United Nations was \$2,338,200. The Advisory Committee had concurred in the request to have recourse, as appropriate, to internal borrowing for the purchase of the land from sources other than peace-keeping funds in United Nations custody, on the understanding that such borrowing would be reimbursed with interest equivalent to the average rate of return that would otherwise have been earned through investment.

9. In response to the Tunisian representative's question about the future of UNITAR, he noted that the Secretary-General's report on the subject (A/43/697) was being considered by the Second Committee. There was also a report by the Executive Director of UNITAR (A/43/14). In preparing his report, the Secretary-General had consulted Member States, United Nations bodies, specialized agencies and non-governmental organizations. The responses received stressed the need to maintain, or expand, ongoing or potential collaborative ventures between UNITAR and other bodies of the United Nations system. It was the Secretary-General's intention to explore new possibilities for greater interaction and co-operation among the autonomous United Nations research institutes, including UNITAR.

(Mr. Gomez)

10. In response to the Kenyan representative's question in connection with section IV of the Advisory Committee's report, concerning the implementation of recommendation 25 of the Group of 18, which referred specifically to the separation of functions in regard to non-governmental organisations between the Office of the Under-Secretary-General for Political, General Assembly Affairs and Secretariat Services, on the one hand, and the Department of International Economic and Social Affairs, on the other, he said that the Secretary-General had noted the Advisory Committee's comments in paragraph 27 of its report concerning the potential for confusion and duplication of work between those two Offices. When the Secretary-General submitted his initial budget estimates for the period 1990-1991, every effort would be made to eliminate the potential for duplication. The Secretary-General concurred with the view, expressed in paragraph 29, that a final position on the matter would be affected by the outcome of the work of the Special Commission of the Economic and Social Council. It could also be affected by the work to be done by the Secretariat under Economic and Social Council resolution 1988/77, which called for certain studies to be reported to the second regular session of the Council in 1989. If that was the case, the Secretary-General would submit a further report to the forty-fourth session of the General Assembly in order to permit due consideration at that time of his initial budgetary estimates.

11. The CHAIRMAN suggested that the Fifth Committee should recommend to the General Assembly that it should take note with appreciation of the first report of the Advisory Committee (A/43/7).

12. It was so decided.

AGENDA ITEM 121: PERSONNEL QUESTIONS (continued) (A/43/659; A/C.5/43/6, 14, 18, 25 and 27 and Corr.1)

(a) COMPOSITION OF THE SECRETARIAT

13. Mr. ANNAN (Assistant Secretary-General for Human Resources Management) said, in reply to the point raised by the delegation of Cameroon regarding the representation of developing, and particularly African, countries at the higher levels of the Secretariat, that the question of equitable geographical distribution at the higher levels was of great concern to the Secretary-General and one of the first priorities of the Office of Human Resources Management.

14. In reply to the question of the representative of New Zealand regarding the feasibility of establishing an independent office of Ombudsman, he said that the point was discussed in the report of the Secretary-General on the administration of justice in the Secretariat (A/C.5/43/25). The Secretary-General believed that, given the progress made in improving the efficiency of the appeals machinery and disposing of the backlog of cases, there was no urgent need to establish such an office. The matter would be reviewed again after full implementation of recommendation 60 of the Group of 18 concerning simplification of the system of the administration of justice.

(Mr. Annan)

15. In response to the question of the representative of Zaire about linguistic balance within the Secretariat, he said that the Secretary-General's most recent report on the status of the linguistic skills of United Nations staff and the achievement of a better linguistic balance had been submitted to the General Assembly at its thirty-ninth session (A/C.5/39/6). That report noted, on the basis of data related to promotions, that the percentage of staff subject to geographical distribution having a confirmed knowledge of a second official language had increased steadily over the years, though it was still slightly under 50 per cent. The Secretary-General had considered at the time a number of plans for improving the linguistic balance in the Secretariat more rapidly but had concluded, chiefly for financial reasons, that their implementation was not justifiable. On the other hand, as recognized by ACABQ and ICSC, the Organization's language-training programme had made considerable progress in pursuing the goals set by the General Assembly. In the first semester of 1988, 441 Professional staff and 857 in the General Service category had attended courses in the official languages. The equivalent figures for 1987 were 396 and 858. Careful note had been taken of the suggestion that language training should be included in the management-training programmes. Such training would support the more integrated and comprehensive concept towards which the Office of Human Resources Management was aiming, and would have the added benefit of facilitating staff mobility.

16. With regard to the questions raised by the representatives of Cameroon and Japan concerning the effect of internal and external examinations on staffing at the junior Professional level, since the introduction of the internal examination in 1979, some 222 staff members had been promoted to Professional posts, two thirds of them women. Since the introduction of the external examination in 1982, 161 staff members had been recruited, of whom 73 per cent were men.

17. It followed from consideration of those statistics that internal examinations had a very positive effect in terms of increasing the number of women in the Professional category; that, since every qualified General Service staff member could apply to sit the internal examination, the Organization had no control over any ensuing distortion with regard to geographical distribution; that the external examination, on the other hand, was an excellent tool for the recruitment of staff from unrepresented and under-represented countries; and that external examinations had so far had an unfavourable effect on gender distribution, in view of which Member States should encourage more qualified women to apply.

18. With regard to the question raised by the representative of the Libyan Arab Jamahiriya concerning the recruitment of staff from over-represented countries, such appointments had accounted for only 10 per cent of appointments during the reporting period. Lastly, his Office would take careful note of the proposal by the representative of the Federal Republic of Germany concerning the recruitment of junior Professional officers from unrepresented and under-represented countries for regular appointments upon completion of their two-year assignments.

19. Mr. MUDHO (Kenya) asked what the priority, supposedly attached to the question of equitable geographical distribution of staff at the higher levels, meant in practical terms.
20. Mr. FONTAINE ORTIZ (Cuba) asked when the Secretary-General would be in a position to present a report on recommendation 47 of the Group of 18. He noted that the three-year period set for implementation of General Assembly resolution 41/213 would end with the current General Assembly. With reference to the statement just made that the Secretariat had no control over possible distortions of equitable geographical distribution resulting from promotion to the Professional category through internal examination, he asked whether any administrative or legislative measures were envisaged to remedy that state of affairs.
21. Mr. ZONGWE (Zaire) said that he had taken note of the response given by the Assistant Secretary-General to the questions raised by his delegation.
22. Mr. ABOLY (Côte d'Ivoire) said that he shared the concern expressed by the representative of Kenya concerning the implementation of recommendation 47, and would welcome clarification of the current situation.
23. Mr. ANNAN (Assistant Secretary-General for Human Resources Management), in response to the representative of Kenya, said that the number of nationals of developing countries in senior and policy-formulating posts had, as indicated in his earlier statement, remained steady. Precise figures could be found in the statistical tables in document A/43/659.
24. Turning to the question of when the Secretary-General would submit a report on the implementation of recommendation 47, he said that the Secretariat was engaged in a process of retrenchment and that the Secretary-General would be able to make adjustments as and when staff retired or appointments ended. With respect to the suggestion that staff at the Assistant Secretary-General and Under-Secretary-General levels with more than 10 years of service should not have their appointments extended further, the Secretary-General would take a decision in due course and report thereon to the General Assembly. The Secretary-General was well aware of the need for balance, but so far no specific plans concerning the distribution of posts at those levels had been formulated.
25. On the question of the promotion of General Service staff to the Professional category, it was not clear that the Secretariat could propose an administrative solution. The examination was open to all staff members in the General Service, and it would be quite unfair to ban individuals on the basis of nationality. In practice the competitive examination tended to result in an increase in representation of those nationalities that predominated at the General Service level, for example, the nationals of host countries. In that connection it should be noted that external recruitment examinations were very useful in correcting geographical imbalances.

26. Mr. MUDHO (Kenya) said that his delegation had hoped that the representation of developing countries at senior and policy-making levels would have increased rather than remained steady. It was clear that the Secretary-General would need to take additional steps to implement recommendation 47.

27. Mr. FONTAINE ORTIZ (Cuba) agreed that the Secretary-General should take such additional steps. It was important for the recommendations of the Group of 18 to be implemented in a balanced manner, yet so far there seemed to have been little interest in effective implementation of recommendation 47. With regard to the competitive examination for promotion from the General Service to the Professional category, while it might be unfair to ban some staff members, it was still more unfair to perpetuate the situation of unrepresented and under-represented countries. Legislative action would be necessary to correct the situation.

28. Mr. ABOLY (Côte d'Ivoire) said that his delegation shared the concerns expressed by the representative of Cuba over the implementation of recommendation 47. The representation of developing countries at senior levels did not seem to be improving. His delegation would reflect its concern in the draft resolution on personnel questions.

29. Mr. TETTAMANTTI (Argentina) reaffirmed the importance for his delegation of recommendation 47, and agreed that the concerns expressed by previous speakers should be reflected in the draft resolution on personnel questions.

30. Mr. HAMEDA (Libyan Arab Jamahiriya) said that emphasis should be placed on recruitment from unrepresented and under-represented States, particularly in political areas that were often, in practice, confined to over-represented States.

31. Mr. ANNAN (Assistant Secretary-General for Human Resources Management) said that he had taken note of the comments made by Cuba concerning the inherent contradiction between promotion from the General Service to the Professional category and the requirements of equitable geographical distribution. The Secretariat would welcome working with delegations to devise a solution acceptable to all.

The meeting was suspended at 11.25 a.m. and resumed at 11.50 a.m.

(b) RESPECT FOR THE PRIVILEGES AND IMMUNITIES OF OFFICIALS OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES AND RELATED ORGANIZATIONS (A/C.5/43/18)

32. The SECRETARY-GENERAL, said that he had come to the Committee to introduce personally a subject particularly close to his heart and one which had caused a great deal of anxiety. Only that morning he had received a petition on it signed by 4,000 staff members.

33. The subject was the safety and security of United Nations staff members in the discharge of their official functions. He regretted to have to inform the Committee that the situation had deteriorated since 1987. No less than 168 new cases of arrest and detention or abduction of officials in 16 different countries

(The Secretary-General)

or territories had been reported to the United Nations Security Co-ordinator during the period 1 July 1987 to 30 June 1988. It was totally unacceptable to have to face a situation in which, in violation of the Charter and of the Convention on the Privileges and Immunities of the United Nations and other applicable legal instruments, staff members were subject to arbitrary or unexplained detention or even abduction.

34. The state of affairs caused even greater concern at a time when the United Nations was called upon to assume important responsibilities in various parts of the globe for the maintenance of international peace and security. Some of those operations would involve large numbers of personnel who would be carrying out difficult tasks, sometimes under extremely difficult circumstances. It was painful to recall the names of such colleagues as Lieutenant-Colonel Higgins and Mr. Alec Collett who were still in captivity or missing; the United Nations had so far been rendered unable to extend to them the protection which was their right.

35. The Secretariat was doing its utmost to ensure that staff members were not arrested or detained when and where they were engaged in performance of official duties. It intervened incessantly in such cases of arrest or detention. However, it was also the responsibility of Member States, individually and collectively, to ensure that staff members could perform their official duties effectively, free from arrest, detention or abduction. He drew attention in particular to a proposal made by the United Nations Development Programme (UNDP), to which he referred in paragraph 34 of his report (A/C.5/43/18).

36. The proposal was that Member States should agree that access by the designated official or his representative to detained United Nations staff should be granted within 24 hours of their arrest and that a formal explanation for the arrest and detention should be furnished through the designated official to the Secretary-General within 48 hours.

37. What was needed therefore was a renewed and unconditional commitment by Governments scrupulously and unequivocally to observe their obligations under the existing international legal instruments. He appealed to all representatives in the Committee to convey to their Governments a sense of the gravity of the situation and of the profound concern that it caused to the United Nations. He also appealed to the vast majority of Governments which had meticulously observed the Convention on Privileges and Immunities to use their persuasive powers with other Governments to dissuade them from a course of action which endangered all the efforts and had caused much unnecessary suffering. What was at stake was no less than the capacity of the United Nations to fulfil its principal responsibilities.

38. He noted that in August 1988 the Sub-Commission on Prevention of Discrimination and Protection of Minorities had adopted a resolution on protection of staff members of the United Nations system. That resolution would of course be submitted to the Commission on Human Rights and thereafter to the Economic and Social Council for consideration. The United Nations was not alone in its



(The Secretary-General)

predicament. The closest co-ordination of its efforts and those of the specialised agencies and related organizations had therefore become all the more important.

39. Mr. FLEISCHHAUER (Under-Secretary-General, The Legal Counsel) said that the Secretary-General's report on the item was submitted on behalf of the Administrative Committee on Co-ordination and covered the period 1 July 1987 to 30 June 1988. While cases involving arrest, detention and abduction of officials remained the principal focus of the report, it also dealt with restrictions on official and private travel of officials, taxation, the independent appointment of staff, and measures and proposals in furtherance of the safety and security of officials.

40. The arrest, detention or abduction of officials remained a chronic problem and, notwithstanding the efforts of the Secretary-General and the Executive Heads of the agencies concerned, difficulties were still encountered in obtaining timely information, and access was routinely denied to officials seeking to determine whether there had been a breach of respect for privileges and immunities. As pointed out in previous reports, the arrest, detention or abduction of officials not only raised legal questions regarding the breach of international instruments on privileges and immunities and the violation of basic human rights but also had serious administrative and financial implications for the organizations stemming from the contractual status of the staff member concerned. The consolidated list of staff members under arrest and detention, in annex I of the report, had been compiled in chronological order of cases in order to highlight their duration.

41. For a number of years the Secretary-General's reports had drawn the General Assembly's attention to the difficulties encountered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in connection with the duty travel of officials of certain nationalities. As indicated in paragraph 17 of the report (A/C.5/43/18), those restrictions had continued to disrupt the efficient functioning of UNRWA. The restrictions on private travel of staff members of certain nationalities within the United States remained in force and had been extended to other nationalities. The Secretary-General could only deplore such actions which discriminated among members of the international civil service on the basis of nationality and thereby contributed to the undermining of the concept of that service as a whole. As paragraphs 30 to 34 indicated, the organizations continued to review and refine their safety and security procedures. Implementation of the UNDP proposal to which the Secretary-General had referred in his statement would immediately enhance the overall safety of officials.

The meeting rose at 12.20 p.m.