



SUMMARY RECORD OF THE 67th MEETING

Chairman: Mr. KUYAMA (Japan)

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

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Distr. GENERAL
A/C.5/38/SR.67
20 December 1983

ORIGINAL: ENGLISH

The meeting was called to order at 7.35 p.m.

AGENDA ITEM 117: UNITED NATIONS COMMON SYSTEM: REPORT OF THE INTERNATIONAL CIVIL SERVICE COMMISSION (continued)

1. The CHAIRMAN reminded the Committee that at the 66th meeting the representative of Egypt had proposed a draft decision. The wording of that proposal had been slightly altered and would now read:

"The General Assembly

"Requests the Secretary-General to consult with the organizations members of the common system of the United Nations on the proposal in document A/C.5/38/L.23 (annexed) and to report on the results of these consultations to the General Assembly at its thirty-ninth session."

2. The representative of the United States had proposed an amendment to that draft decision, which consisted of the insertion, after the words "organizations members of the common system of the United Nations", of the words "and the International Civil Service Commission, bringing to their attention, inter alia, the discussions in the Fifth Committee".

3. As an extensive debate on the item had already been held, he urged delegations to make their statements as brief as possible, with a view to concluding the consideration of the item promptly.

4. Mr. LAHLOU (Morocco) said that he had withdrawn the Moroccan proposal (A/C.5/38/L.23) because the Egyptian delegation had stated that a new text had been agreed upon. Yet, the United States delegation had proposed an amendment to the new text. His delegation felt that such an abnormal action affected the morality of the Committee, and he called on the United States delegation to respect the promise that had been made, and to withdraw its amendment.

5. Mr. MURRAY (United Kingdom) observed that the United States amendment would involve ICSC in the consultations and asked whether the Chairman of ICSC felt that it would be useful for the Commission to take part in the consultations.

6. Mr. AKWEI (Chairman of the International Civil Service Commission) said that the Commission, which had not been in existence when the statute was drafted, was the body most intimately involved in applying the statute and was therefore familiar with its advantages and disadvantages. The Commission had in fact discussed the entire statute on two occasions and had reported the results of its discussion to the Fifth Committee. He believed that it would be useful to those who were contemplating an amendment to the statute to seek the views of the Commission, but the decision would be up to the Fifth Committee.

7. Mr. LAHLOU (Morocco) said it would be wrong to consult the members of ICSC, since they were personally affected by the proposed amendment to the statute.

8. Mr. KUTTNER (United States of America) said that his delegation had only been trying to be helpful by proposing the inclusion of ICSC in the consultations. It was also important that the Secretary-General, when consulting the organizations, should bring to their attention the discussions that had taken place in the Fifth Committee.
9. Mr. LAHLOU (Morocco) said that the United States delegation had failed to explain why after a compromise had been accepted, it had proposed a new amendment.
10. Mr. EL SAFTY (Egypt) said that, according to the rules, the amendment would have to be put to a vote before the draft decision. It served no useful purpose to go into details about who had consulted whom.
11. Miss ZONICLE (Bahamas), explaining her vote before the vote, said that her delegation would not participate in the voting on either the United States amendment or the Egyptian draft decision.
12. The United States oral amendment was adopted by 37 votes to 10, with 14 abstentions.
13. The Egyptian oral draft decision, as amended, was adopted by 24 votes to 6, with 37 abstentions.
14. Mr. ORTEGA (Mexico), explaining his vote, said that he had abstained in view of the complexity of the issue.
15. Mr. HOUNGAVOU (Benin) said that his delegation had voted in favour of the draft decision because of Egypt's co-operative attitude in formulating a compromise proposal.
16. Mr. LAHLOU (Morocco) said that, although it might appear paradoxical, his delegation had voted against the draft decision. That was because, according to the statute, the organizations members of the common system should not be consulted first: instead, decisions should be taken and then the organizations should be consulted.
17. The CHAIRMAN declared that the consideration of agenda item 117 had been completed.

AGENDA ITEM 109: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1984-1985 (continued)

Contractual status of language teachers (continued) (A/C.5/38/41; A/38/7/Add.13; A/C.5/38/CRP.10 and Corr.1)

18. The CHAIRMAN said that the question of the contractual status of language teachers had been the subject of extensive debate at a previous meeting and had been deferred pending further informal consultations. He reminded the Committee that Egypt had proposed in that regard, that the Committee should approve by a vote the proposals of the Secretary-General, as reflected in his report (A/C.5/38/41).

(The Chairman)

He also drew the attention of the Committee to the conference room paper that had been distributed in response to the request of the Belgian delegation (A/C.5/38/CRP.10 and Corr.1).

19. Mrs. de HEDERVARY (Belgium) said that the status of language teachers was not a humanitarian issue but rather should be viewed in the light of services rendered. The proposals made by ACABQ and the Secretary-General would both appear to ensure the dignity of the work of teachers, but her delegation felt that the Secretary-General's proposals offered a more comprehensive solution. Full-time personnel were needed, and there were no major administrative problems involved in integrating the teachers as United Nations officials. Although their actual class time might total only 15 hours per week, they needed additional hours to prepare for classes and grade papers. Many of them had advanced qualifications and should be part of a properly established teaching body.

20. Mr. HOUNGAVOU (Benin) said that his delegation approved of the Secretary-General's proposals. However, certain problems had to be solved with a view to promoting an equitable geographical balance. His delegation had noted the statement of the Assistant Secretary-General for Personnel Services to the effect that the Secretary-General intended to include the language teachers in the career development plan, and it would like to know what tangible form that intention would take.

21. Miss ZONICLE (Bahamas) said that her delegation wished to know exactly why the alternative proposed by the Advisory Committee to participation by the language teachers in the United Nations Joint Staff Pension Fund had not been adequately explained, and why no satisfactory answer had been given to the question raised by the Advisory Committee concerning career development. Under the Secretary-General's recommendations, there would be 48 full-time teachers on fixed-term contracts and they would have access to grievance procedures, which seemed to be an important issue for the teachers themselves.

22. Mr. KHALEVINSKY (Union of Soviet Socialist Republics) said that his delegation wished to propose a compromise solution, which would take account of the various views expressed by delegations and of the recommendations of the Advisory Committee. The career system recommended by the Advisory Committee could be implemented on an experimental basis for two years, after which the Secretary-General would propose a longer term solution. Such a course would take into account the interests of those delegations which had expressed reservations concerning the various proposals made, and would not prejudge an ultimate solution.

23. Mr. ROY (India) said that the Soviet proposal was very reasonable and represented an acceptable compromise.

24. Mr. MURRAY (United Kingdom) said that his delegation preferred the solution proposed by the Advisory Committee. Nevertheless, in view of the differences which had emerged in the Committee and between the Advisory Committee and the Secretariat, his delegation was prepared to support the Soviet proposal in order not to prolong the debate.

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25. Mr. NEGRE (Assistant Secretary-General for Personnel Services), responding to questions, said that the reclassification of teachers' posts was planned, and that they would be subject to equitable geographical distribution. With regard to career development, language staff would be in the same position as all other staff members, who would have career prospects once the career development plan had been established.

26. With respect to alternatives to participation by language teachers in the Pension Fund, he said that consideration had been given to the establishment of a special insurance fund, but it had been decided that that would be impractical in view of the high costs and the small number of language teachers eligible.

27. Mr. FONTAINE ORTIZ (Cuba) said that the Committee had already spent a great deal of time discussing the contractual status of language teachers. No clear preference for the Secretary-General's or the Advisory Committee's proposals had emerged. The Soviet proposal might offer an acceptable compromise and preclude the need for a vote.

28. Mr. GODFREY (New Zealand) said that the Soviet proposal would have the effect of deferring the problem for another two years. Although his delegation was not opposed to the Advisory Committee's recommendations, it preferred those put forward by the Secretary-General in his capacity as the chief administrative officer.

29. Mr. LAHLOU (Morocco) said that the Advisory Committee had approached the contractual status of language teachers from a purely financial point of view, but that many in the Fifth Committee were concerned with the cultural aspects. His delegation had always supported proposals to strengthen languages at the United Nations and to promote a linguistic balance. The Secretary-General should be provided with the necessary resources to ensure that those staff who wished to study additional languages were able to do so. There was an imbalance in the number of teachers, there being fewer teachers of Chinese, Arabic and Russian than of the other official languages. The explanation given for that situation was not convincing. If the Secretary-General had encouraged language teaching, more staff members would have expressed an interest in learning languages. His delegation supported the proposal made by the representative of Egypt.

30. Mr. BROCHARD (France) said that his delegation also supported the Egyptian proposal, and endorsed the remarks made by the representatives of New Zealand and Morocco.

31. Mr. TOMMO MONTHE (United Republic of Cameroon) said that the question now before the Committee had been under consideration for several years. A decision should be taken without further delay. The issue was essentially a human one and concerned people who taught staff members to communicate. His delegation supported the Egyptian proposal to approve the Secretary-General's recommendations.

32. Mr. WESTPHAL (Federal Republic of Germany) said that his delegation did not support the Secretary-General's recommendations, and would therefore vote against them.

33. Mr. HOUNGAVOU (Benin) said that there could be no second-class employees. His delegation would therefore support the Secretary-General's recommendations.

34. Miss ZONICLE (Bahamas) said that she had not been convinced by the answers given concerning the career development and ultimate status of language teachers. Accordingly, her delegation would abstain.

35. Mr. KROLL (Canada) said that the Advisory Committee's proposals represented the best solution for the staff concerned and for the United Nations.

36. The CHAIRMAN invited the Committee to vote on the Secretary-General's recommendations, in accordance with the Egyptian proposal.

37. Additional appropriations of \$4,100 under section 18, \$258,700 under section 28J and \$36,400 under section 28M, together with an additional appropriation of \$501,800 under section 31, to be offset by an increase of the same amount in the estimates under income section 1 and an increase of \$131,200 in the estimates under income section 2, for the biennium 1984-1985 were approved in first reading by 46 votes to 16, with 24 abstentions.

Conditions of service and compensation for officials other than Secretariat officials (A/C.5/38/27)

38. The CHAIRMAN said that, during the consultations on the conditions of service and compensation for officials other than Secretariat officials, several delegations had felt that the subject should be deferred for study by the Advisory Committee before it was considered by the Fifth Committee. The Advisory Committee did not, however, have time to consider the matter and report to the Fifth Committee at the current session. He therefore felt it would be appropriate to take a procedural decision in order to meet the concerns of those delegations that wanted the matter referred to the Advisory Committee.

39. Mr. RUEDAS (Under-Secretary-General for Administration and Management) said that he was disappointed with the proposal to defer consideration of the report of the Secretary-General on conditions of service and compensation for officials other than Secretariat officials. There were two main difficulties that would arise if that was done and he hoped that the Fifth Committee could act to solve them.

40. First, there was the question of the conditions of service of the members of the International Court of Justice. The Secretary-General had received a message from the President of the Court recalling that, two years previously, the Court had made proposals for an amelioration of the conditions of service of its members and of the financial situation of former judges and their dependants and survivors. Those proposals, the President stated, had been most carefully considered by the Court and, as revised in the light of the views of the Secretariat, had been submitted to the Fifth Committee in document A/C.5/38/27. The President had expressed dismay that the Fifth Committee might postpone action on the proposals to the thirty-ninth session and could not see why, even though the hour was late, the Fifth Committee could not ask the Advisory Committee to deal with them with a view

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to their being acted upon at the current session of the General Assembly. The Secretary-General hoped that the Committee would bear in mind that communication from the President of the Court. No additional appropriations had been requested by the Secretary-General in respect of the proposals concerned.

41. The second issue was that of the pension arrangements for the Chairman of ACABQ and the Chairman and Vice-Chairman of ICSC. By resolution 37/131, the General Assembly had decided that those three officials would be participants in the United Nations Joint Staff Pension Fund with effect from 1 January 1983. At the thirty-seventh session of the General Assembly, the Secretary-General had indicated that the cost of recognizing the service of those officials prior to 1 January 1983 for pension purposes would require an actuarial costing. Therefore, no decision had been taken with regard to the provision of the necessary funds for such coverage when determined. Now that the financial implications were available, it would seem necessary for the Fifth Committee to take a decision at the current session. If such a decision was deferred, the pension coverage would remain very uncertain, and the actuarial cost of recognizing the years of service prior to 1 January 1983 would increase.

42. The financial implications of the participation of the three officials in the United Nations Joint Staff Pension Fund were set forth in paragraphs 48 and 107 of document A/C.5/38/27. The total additional cost for the United Nations would be a one-time payment of \$241,400, of which \$81,300 would be under section 1 and \$160,100 under section 28, the latter amount being partially offset by a sum of \$95,700 under income section 2. Therefore the net additional cost was \$145,700.

43. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to approve the financial implications indicated by the Under-Secretary-General for Administration and Management.

44. It was so decided.

45. Mr. GODFREY (New Zealand) said that the report before the Committee was the result of a compromise decision taken at the thirty-seventh session. His delegation felt that, once the report had been submitted, action should be taken on it. Therefore, in addition to the two matters raised by the Under-Secretary-General for Administration and Management, the Advisory Committee should also consider the question of the education grant for the officials concerned and might work out some sort of interim scheme, without prejudice to the full review that would take place in 1984.

46. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to request the Advisory Committee to review the question of the pension arrangements for judges and, if possible, the question of the education grant.

47. It was so decided.

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Administrative and financial implications of draft resolution A/C.2/38/L.106 concerning agenda item 12 (A/C.5/38/96)

48. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that paragraph 6 of document A/C.5/38/96 stated that every effort would be made to meet the additional requirements from the resources already requested under section 6 of the programme budget. The statement attempted to give additional information on the programme aspects of the draft resolution, the adoption of which would not necessitate additional appropriations at the current session.

49. Mr. EL SAFTY (Egypt) said that, while his delegation did not oppose the absorption of costs by the Secretary-General from available funds, it was against such absorption if it was imposed upon the Secretariat and hampered activities approved by the legislative bodies of the United Nations. In the case under consideration, he could go along with the proposals of the Secretary-General and felt that the Committee could advise the plenary Assembly of the financial and programme implications of draft resolution A/C.2/38/L.106.

50. Mr. TOMMO MONTHE (United Republic of Cameroon) said that, when the Secretary-General proposed to meet additional requirements from existing resources, the impact of such endeavours on existing programmes must be clearly stated. If existing programmes would not be affected, that too must be explicitly indicated. He therefore asked whether or not the endeavours referred to in paragraphs 5 and 6 of document A/C.5/38/96 would affect existing programmes.

51. Mr. HOUNGAVOU (Benin) said that he shared the concerns expressed by other delegations, especially the Cameroonian delegation. Paragraph 5 was ambiguous and the Committee had no idea of the effects of a decision approving it.

52. Mr. ROY (India) said that he agreed with the comments of previous speakers and would welcome some clarification from the representative of the Secretary-General. The Committee had often been told that the current budget was fully streamlined. He therefore wondered how six Professional work-months could be added under section 6 without affecting programme delivery.

53. Miss ZONICLE (Bahamas) said that her delegation, too, would welcome a reassurance that the Secretary-General would not jeopardize programme delivery under section 6 if he took the action proposed in paragraph 5. Paragraph 2 of document A/C.5/38/49 implied that details of the impact on programme implementation of decisions requiring additional resources would be communicated to the Committee for Programme and Co-ordination in a report on programme implementation. She wondered whether the concerns expressed by the Cameroonian delegation would be addressed in that report.

54. Mr. HANSEN (Assistant Secretary-General for Programme Planning and Co-ordination) said that the work referred to in paragraph 5 had been in progress for over a year and would not require additional resources. The draft resolution merely requested that that work should be completed. UNCTAD and UNIDO were already

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engaged in related activities. He could therefore assure all delegations that, by drawing extensively on the work that had already been done, the Secretary-General could implement paragraph 5 without sacrificing other programme elements under section 6.

55. Mr. TOMMO MONTHE (United Republic of Cameroon) said that he accepted the assurances given by the Assistant Secretary-General. However, in future, statements of administrative and financial implications should indicate whether the financing of new activities from existing resources would affect programme delivery. When the Fifth Committee reported to the plenary Assembly on the subject, it should state that the cost of activities pursuant to draft resolution A/C.2/38/L.106 could be absorbed by the Secretary-General without detriment to existing programmes.

56. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to inform the General Assembly that, should it adopt the draft resolution contained in document A/C.2/38/L.106, no additional appropriations would be required.

57. It was so decided.

58. Mr. TOMMO MONTHE (United Republic of Cameroon) recalled the suggestion that he had just made and urged that it be incorporated into the decision just taken.

59. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to add the following words to the decision it had just adopted: "The cost of implementing the draft resolution would be absorbed without any modification of existing programmes."

60. It was so decided.

The meeting rose at 10 p.m.