



FIFTH COMMITTEE  
25th meeting  
held on  
Monday, 12 November 1984  
at 3 p.m.  
New York

DEC 21 1984

SUMMARY RECORD OF THE 25th MEETING

Chairman: Mr. MAYCOCK (Barbados)

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

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 118: UNITED NATIONS PENSION SYSTEM: REPORT OF THE UNITED NATIONS JOINT STAFF PENSION BOARD (continued) (A/39/9 and Corr.1 and A/39/608; A/C.5/39/15 and Corr.1 and A/C.5/39/29)

1. Mr. FORSHELL (Sweden), speaking on behalf of the five Nordic countries, agreed with ACC that the Pension Fund "is a fundamental element of the broad compact between the organizations and their staff" (A/39/30, annex II, para. 3) and that "it is ... imperative to preserve the integrity and financial soundness of the pension system" (ibid., para. 2). It was the common responsibility of all Member States to ensure that the "broad compact" was upheld and that the staff of the United Nations could be confident that their employers would keep their part of the bargain.

2. The Nordic countries shared the general satisfaction at the fact that there had been a substantial improvement with regard to United Nations pensions in recent years, but felt that, given the difficulty of determining to what extent the improvement had been due to the strengthening of the United States dollar, those concerned should not be overly influenced by circumstances that might not last. In that connection, the Nordic countries commended the excellent work carried out by ICSC in close co-operation with the Pension Board.

3. With regard to the ICSC recommendations for new scales of pensionable remuneration (A/39/30, chap. II), the Nordic countries considered that they would provide more fairness and balance and lead, in the long run, to considerable savings for the common system and an improved actuarial balance of the Pension Fund. They also agreed with ICSC that the increase in the levels of pensionable remuneration resulting from the application of article 54 (b) of the Regulations of the Fund should be implemented in order to maintain the unity of the common system.

4. Although the Nordic countries agreed in principle with the package of measures aimed at recommended by the Pension Board in its report (A/39/9), improving the position of the Fund which bore witness to the good will and spirit of accommodation of the members of the Board, they had a number of comments to make. Firstly, they agreed with ICSC that the two-track system should be retained as a safety net in case the relationship between the United States dollar and other currencies changed substantially, but noted that the capping of the dollar track at 120 per cent of the local track was arbitrary, and that a somewhat lower cap might provide a further, marginal saving. Secondly, they agreed with the Board on the need to respect acquired rights, but supported the recommendation - the one exception to that general principle - that the first cost-of-living adjustment to become due in each country after 1 January 1985 should be reduced by 1.5 per cent, because they were convinced that the overall balance of the Pension Fund was in the interest of those already receiving benefits. In that connection, he noted with satisfaction that minimum benefits would not be affected. Thirdly, with regard to the age of separation from service, the Nordic countries held the view that the question should be discussed in the context of an overall, possibly more flexible,

(Mr. Forshell, Sweden)

retirement policy, but that the time was not yet ripe for a final decision. It should be recalled that nothing new had occurred with respect to the matter since ICSC had decided, the year before, not to recommend to the organizations any change for the time being.

AGENDA ITEM 117: UNITED NATIONS COMMON SYSTEM (continued) (A/39/522 and Corr.1 and Add.1)

(a) REPORT OF THE INTERNATIONAL CIVIL SERVICE COMMISSION (continued) (A/39/30 and Corr.1; A/C.5/39/13, 18, 26 and 27; A/C.5/39/L.8)

5. Mr. OKLESTEK (Czechoslovakia) said that each year his delegation found fewer and fewer conclusions of the Commission which it could support, in view of the considerable financial implications of the proposals put forward for the regular budget of the United Nations.

6. For the first time, the ICSC report (A/39/30) presented in numerical form the results of the comparison of the total compensation of the staff of the United Nations system and the United States federal civil service, which it had been carrying out since 1976. In the view of his delegation, the margin which ICSC had reported should be noted simply for information purposes. The General Assembly should be kept continuously informed of the figures for the two margins, namely, that calculated on the basis of net remuneration and that assessed by comparing total compensation. In that respect the ICSC decision to review and refine further the methodology used for comparison, taking into account all new developments (A/39/30, para. 93), was appropriate.

7. In accordance with General Assembly resolution 31/141, ICSC had, since 1976/77, reported each year on the margin - stating the reasons for increases or decreases - between net salaries of staff in the Professional and higher categories of the United Nations system and the United States federal civil service. Yet it had never taken any stand on the level of the margin, not even when it had doubled in 1982 (18.2 per cent) compared to the 1978 level (9.3 per cent). The Commission's approach might be explained by the fact that what constituted an appropriate margin had never been determined. Indeed, in its current report, ICSC had stated, as it had in 1976, that the level should be determined in a pragmatic manner. Yet, since the factors which caused increases or decreases in the level of the margin - any change in the absolute level of United Nations remuneration decided by the General Assembly, changes in the level of remuneration in New York resulting from the operation of the post adjustment system, changes in the level of remuneration of the United States federal civil service and changes in the relative cost of living in Washington, D.C., and New York - were not determined in a pragmatic manner but were expressed in numbers, his delegation did not see any obstacle to the establishment of a lower and upper limit for the margin. In that way there would be no doubt as to what was an appropriate or an "undue" widening of the margin, a concept referred to in General Assembly resolutions 31/141 and 33/119.

8. In that connection, it was clear that the increase in the New York post adjustment by 9.6 per cent had resulted in an undue widening of the margin in

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(Mr. Oklestek, Czechoslovakia)

violation of the Noblemaire principle. Moreover, the increase had taken place at a time when everything possible was being done to use the funds of the United Nations regular budget more effectively. Given that, under Article 17 of the Charter, decisions on the budget were to be made by the General Assembly, his delegation believed that the post adjustment increase should not have been effected before the Assembly's position was known. Further, the haste with which the decision had been implemented only increased his delegation's doubts.

9. In conclusion, he wished to stress that, although his delegation did not believe in saving at all costs, it could not agree to unjustified decisions which had serious financial implications, and, accordingly, it fully supported draft resolution A/C.5/39/L.8.

10. Mr. PEDERSEN (Canada), referring to the 9.6 per cent increase in the New York post adjustment, said that for some delegations the amount was too large, for others it was a technical issue, while for others still it was acceptable. Nevertheless, all seemed to agree that the margin of United Nations remuneration over that of the comparator civil service should be reasonable and accord with the Noblemaire principle. There also seemed to be agreement that the end result of the 9.6 per cent increase would be a margin that might be too high for the system as a whole.

11. Some had proposed a rollback, others a partial freeze. Yet any such decision by the General Assembly could be deemed contrary to the ICSC statute and hence illegal. Consequently, it was possible that it might be overturned in a legal challenge. Regardless of any such ruling, such an action would undermine future observance of the statute and independence of ICSC. Moreover, General Assembly decisions were not binding on other agencies of the common system, so that independent action by the General Assembly could lead to a partial breakup of the system.

12. The United Nations system needed an independent, conscientious and competent Commission if it was to function harmoniously. There appeared to be some disharmony between the objectives of the Noblemaire principle on the one hand and those of the post adjustment system on the other and ICSC must be told to restore the proper harmony. In that connection, he wished to point out that the margin, which had varied considerably over the years, had never been fixed. Thus far, the Commission had decided that the level of the margin should continue to be determined in a "pragmatic" manner. If the General Assembly was not happy with that "pragmatism", it could request the Commission to define the concept of "undue widening of the margin" and propose a desirable range, for instance the 15 to 18 per cent suggested by the delegation of India. Pending the Commission's report to the General Assembly at its fortieth session, the Assembly might stipulate that the margin on the aggregate of salaries and post adjustment be capped and request the Commission not to implement further cost-of-living increases which would bring the margin beyond that cap. If, at the fortieth session, the General Assembly decided to establish a range to regulate undue widening of the margin, ICSC could then take the requisite action to bring remuneration down to within that range,

(Mr. Pedersen, Canada)

something that could be done over a period of approximately two years. For instance, freezing the post adjustment world-wide by 3 to 4 per cent for two years, would save some \$150 million. That approach would have the advantage of being fair throughout the United Nations system, would avoid litigation, would maintain the integrity of both the common system and ICSC and would be in line with the aims of the Noblemaire principle.

13. With regard to the JIU report on staff costs (A/39/522), his delegation believed that such reports were best co-ordinated with ICSC, in accordance with General Assembly resolution 37/126. Moreover, since the report affected the other organizations of the common system, the latter should have an opportunity to comment on it before any action was contemplated.

14. The consolidation of 20 points of post adjustment into the net base salary of the Professional and higher categories made sense because of the need to provide adequate financing of the Tax Equalization Fund. His delegation once again appealed to all Member States to exempt their nationals from income tax so that the Fund could be abolished.

15. His delegation concurred with the granting of a longevity step at levels P-1 to P-5, which should help to avoid the misuse of promotion as a means of recognizing long service.

16. His delegation urged the Commission to pursue its work on conditions of service for field staff. With regard to human resources planning, it endorsed the ICSC recommendations on the use of selection interviews, the role of selection mechanisms and processes and the use of tests in recruitment. The Commission should continue its work on training policies by elaborating a method for the evaluation of training programmes. With regard to competitive examinations, his delegation believed that careful evaluation of the Organization's experience in that connection was necessary before any extension to the P-3 level was considered.

AGENDA ITEM 116: PERSONNEL QUESTIONS (continued) (A/39/453, A/39/483 and Add.1; A/C.5/39/2, A/C.5/39/4 and Corr.1 and Add.1, A/C.5/39/6 and Corr.1, A/C.5/39/9, A/C.5/39/11, A/C.5/39/17 and A/C.5/39/23)

17. Miss DONOSO (Bolivia), referring to the medium-term recruitment plan, observed that in the geographical and sex distribution of the staff very little progress had been made towards ensuring that unrepresented or underrepresented countries achieved their desirable ranges and thereby that the proportion of officials from those countries at the Professional and higher levels increased. Little progress had been made with regard to female staff either.

18. Delays in implementing the plan were preventing the United Nations Secretariat from operating with maximum efficiency and were reducing its effectiveness in all areas. It was unacceptable that the vast majority of departments should consider themselves to be autonomous units which could afford the luxury of rejecting decisions which, as they saw it, impinged on their administrative prerogatives. Personnel policy was indivisible and the Secretary-General's authority, backed by Member States, must be imposed.

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(Miss Donoso, Bolivia)

19. Her delegation believed that it was not enough to extend the time-limits set for achieving the plan's objectives: the Secretariat must show greater readiness and willingness to genuinely implement the plan. The resources of the Office of Personnel Services must also be redeployed properly so that the objectives of the medium-term plan might be achieved.

20. Announcements of post vacancies must be publicized properly and transmitted sufficiently far in advance to enable interested parties to find out about them within the prescribed time-limits.

21. Respect for the principle of geographical distribution did not mean reduced administrative efficiency and, while her delegation acknowledged that the industrialized countries had greater educational resources, that did not mean that one should resign oneself to a situation in which those countries continued to be disproportionately represented both overall and at the higher levels in particular. It should in fact be pointed out that a large proportion of the staff at the higher levels who were nationals of industrialized countries spoke only one official language, a monolingualism which militated against any principle of efficiency.

22. It was clear from the tables and statistics in document A/39/453 that, from the standpoint of geographical distribution, the representation of some countries had declined, in particular that of Bolivia which in recent years had not had sufficient higher-level staff on the Organization's manning tables, a situation which contrasted with that of other countries of the Latin American region which were overrepresented and traditionally enjoyed a privileged position. The Secretariat had not made enough effort to fill Professional posts subject to geographical distribution by recruiting female staff from Bolivia for either Headquarters or the regional commissions and specialized agencies.

23. While her delegation maintained that women must be properly represented in the Organization, that must not provide a way out for developed and overrepresented countries to maintain their privileged position on the pretext of increasing the proportion of female staff from those countries.

24. The suggestion that temporary action should be taken to guarantee the recruitment of qualified staff from unrepresented or underrepresented countries to fill vacancies in the Professional and higher categories was not intended to diminish the career prospects of existing staff. Instead, the aim was to ensure that the percentage distribution of staff by geographical region and gender achieved the desirable ranges set by the General Assembly.

25. Her delegation supported any effort to give the staff greater incentives and better health, education and other benefits, and stressed the importance of ensuring that international civil servants working in different countries and societies were properly compensated so that they could work better.

26. Since the United Nations regularly advised the civil services of a number of Member States on ways of improving their personnel policies, the Secretariat ought

(Miss Donoso, Bolivia)

to set an example by implementing the plans adopted to make it more representative and more efficient.

27. Mr. REFSHAL (Norway), speaking on behalf of the five Nordic countries, said that it was only right that the Fifth Committee should have traditionally devoted considerable time to personnel questions, since the item concerned the efficiency of the Organization and the latter's role as a good employer. On the other hand, there might from time to time have been a tendency to devote too much time to telling the Secretary-General in too great detail how to organize and run the Secretariat. That should be left to his discretion as chief administrative officer and the General Assembly should limit itself to drawing up guiding principles.

28. Document A/39/453 showed clearly that the situation with regard to geographical and sex distribution was rather disappointing. The figures it gave showed that, in the past year, hardly any progress had been made towards achieving the goal set by the medium-term recruitment plan. The Nordic delegations had studied with interest the various steps taken and the proposals made, as described in document A/C.5/39/9. They had also noted with satisfaction the projections made in the light of results achieved during the second half of 1984 and hoped that their optimistic tone would prove justified. At the same time, however, they had noted that the number of unrepresented countries had increased and had been as high as 15 in summer 1984, while the list of overrepresented countries had continued to grow.

29. The delegations of the Nordic countries were especially concerned about the representation of women in posts subject to geographical distribution, and although the proportion of women had increased slightly from 22.3 per cent in 1983 to 22.6 per cent, it still fell short by 2.4 per cent of the 25 per cent target which should have been reached in 1982. The Nordic countries wished to recall the suggestion that the target for representation of women in posts subject to geographical distribution be increased to 30 per cent by the end of the United Nations Decade for Women in 1985.

30. No significant progress had been made concerning the underrepresentation of women at the highest levels of the Secretariat. The United Nations should set an example in promoting equality between men and women and the equitable geographical distribution of staff. The delegations of the Nordic countries therefore hoped that the measures adopted to reach the targets in 1983-1984, as set out in paragraphs 6-29 of document A/C.5/39/9 would be implemented and supported the proposal in paragraph 31 to extend, on a trial basis, the competitive examination system to posts at the P-3 level. The latter measure would, they hoped, significantly increase the number of posts held by candidates from unrepresented or underrepresented countries.

31. With regard to the Secretary-General's decision to suspend recruitment for six months, the delegations of the Nordic countries welcomed his statement that that measure would not affect programme delivery. The Assistant Secretary-General for Personnel Services had also indicated that in implementing that decision, the

(Mr. Refshal, Norway)

Office of Personnel Services would exercise some flexibility with a view to improving geographical distribution and the ratio of women to men in the Secretariat. It would be interesting to hear how the Secretary-General evaluated the application of those measures at some future date.

32. With regard to career development for all categories of staff (A/C.5/39/11), the delegations of the Nordic countries agreed that an effective career development programme must embody the objectives and the needs of the Organization and the legitimate expectations of the staff through a systematic design (para. 5), and stressed the importance of such a systematic design. They welcomed the Secretariat's efforts to fulfil that task, which were reflected in the lists of components of a career development system (para. 9) and of major operational decisions (para. 11). The inclusion in the career development plan of staff in both the Professional and the General Service categories was also praiseworthy, although if the plan was to be put into effect by 1986, the Office of Personnel Services must promote acceptance within the Secretariat itself of the concept of human-resources planning.

33. The report prepared by the Joint Inspection Unit on competitive examinations in the United Nations (A/39/483) was also a very commendable contribution to the study of career development. It was encouraging that, as the report pointed out, most of the difficulties in organizing a system of external national competitive examinations had been overcome and that the system had greatly assisted the efforts of the Office of Personnel Services to apply the principle of equitable geographical distribution. The overriding importance of employing objective and coherent recruitment methods, which would improve the staff's quality and its job satisfaction, could not be overemphasized. Nevertheless, during the initial stages the results of such methods should not be measured in terms of rigid quotas: it was sufficient for recruitment objectives to be those indicated by the Joint Inspection Unit in its report.

34. With regard to the privileges and immunities of United Nations officials, the delegations of the Nordic countries had noted with concern and regret that from September 1983 to August 1984, there had been 84 cases of arrest and detention of United Nations officials (A/C.5/39/17). Although most cases had been resolved satisfactorily, 10 remained unresolved and had to be added to the 9 cases outstanding from the previous year. Although it was encouraging to see signs of increased respect for the right of United Nations officials to protection in the exercise of their functions, all cases of violations should be monitored very closely. The Nordic countries insisted that that right must be fully respected and thanked the Secretary-General for his efforts to secure protection for officials who had been arrested or detained.

35. Mr. MAKTARI (Yemen) said that his country was among those underrepresented in the United Nations Secretariat. Yemen had frequently proposed suitable candidates who had not been recruited. His delegation supported General Assembly resolutions designed to achieve equitable geographical distribution and believed that they were not being implemented vigorously enough. Candidates from unrepresented or



(Mr. Maktari, Yemen)

underrepresented countries should be given more opportunities: the number of such countries was continuing to rise and currently exceeded 20 per cent of the States Members of the United Nations.

36. His delegation supported the Secretary-General's decision to suspend recruitment for six months, on the condition that in future the employment of staff from unrepresented and underrepresented countries would be emphasized. The fact that internal and external examinations were held only in English and French contributed to the underrepresentation of many countries. The examinations should be held in all six official languages of the United Nations.

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

Programme budget implications of draft resolution A/39/L.11 concerning agenda item 28 (A/C.5/39/34)

37. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had studied the Secretary-General's statement of programme budget implications of draft resolution A/39/L.11 (A/C.5/39/34). As of September 1984, of the appropriation of \$107,400 which had been approved for 1984, \$105,600 had been spent on the rental of an airplane for the Special Representative of the Secretary-General, staff travel and miscellaneous expenses. Accordingly, the Advisory Committee had no objection to the approval of an appropriation of \$110,200 for 1985 under section 1 of the programme budget for the biennium 1984-1985.

38. Mr. KAMALUDDIN (Afghanistan) said that the debate on what was referred to as "The situation in Afghanistan and its implications for international peace and security" was a waste of time. At the beginning of the session, his delegation had objected to the inclusion of such an item in the General Assembly's agenda. Draft resolution A/39/L.11 constituted interference in the internal affairs of a State Member of the United Nations and a violation of the Charter.

39. Afghanistan had consistently supported steps taken by the Secretary-General, but did not see how the draft resolution in question could realistically lead to an acceptable solution. It considered the draft resolution to be illegal, rejected it categorically and would vote against it in the appropriate forum.

40. Mr. BOKHARI (Pakistan) said that the activities called for in draft resolution A/39/L.11 were aimed at the maintenance of international peace and security and the peaceful settlement of international disputes. The draft resolution expressed appreciation and support for the steps taken by the Secretary-General, especially the diplomatic process initiated by him, in the search for a solution to the problem.

41. In the report contained in document A/39/513, submitted in pursuance of General Assembly resolution 38/29 of 23 November 1983, the Secretary-General had indicated that that process was "the only active mechanism of negotiations towards the achievement of a political settlement". His delegation strongly urged

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(Mr. Bokhari, Pakistan)

the Fifth Committee to recommend that the programme budget implications set out in document A/C.5/39/34 be approved, in order to make \$110,200 available to the Secretary-General so that he could continue his efforts to promote a political solution to the situation in Afghanistan.

42. The CHAIRMAN suggested that the Fifth Committee should authorize the Rapporteur to report directly to the General Assembly that, should it adopt draft resolution A/39/L.11, an additional appropriation of \$110,200 would be required under section 1 of the programme budget for the biennium 1984-1985.

43. It was so decided.

The meeting rose at 5 p.m.