



Chairman: Mr. Max H. WERSHOF (Canada).

AGENDA ITEM 73

Budget estimates for the financial year 1971
(continued) (A/7822, A/7937, A/7968, A/7987 and
Add.1, A/8006, A/8008 and Add.1 to 4, A/8032,
A/8033, A/8072, A/8122, A/8133, A/C.5/1296,
A/C.5/1298, A/C.5/1302 and Corr.1 and Add.1,
A/C.5/1303 and Add.1, A/C.5/1305, A/C.5/1307,
A/C.5/1309, A/C.5/1310, A/C.5/1315 and
Corr.1, A/C.5/1317, A/C.5/1319, A/C.5/1320
and Corr.1, A/C.5/1322 and Corr.1, A/C.5/1329,
A/C.5/1331, A/C.5/1332, A/C.5/1333, A/C.5/
L.1041, A/C.5/L.1049, A/C.5/L.1050, A/C.5/
XXV/CRP.7, A/C.5/XXV/CRP.9)

First reading (continued) (A/C.5/L.1041)*

*Revised estimates (A/8008/Add.4,
A/C.5/1322 and Corr.1)*

**SECTION 3. SALARIES AND WAGES (A/8006,
A/8008 AND ADD.1 AND 4, A/C.5/1302 AND
CORR.1 AND ADD.1, A/C.5/1322 AND CORR.1)**

1. The CHAIRMAN invited the Committee to consider the revised estimates submitted by the Secretary-General in his report (A/C.5/1322 and Corr.1). The related report of the Advisory Committee on Administrative and Budgetary Questions was contained in document A/8008/Add.4.

2. Mr. BANNIER (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the four principal factors involved in the revised estimates were: first, the Advisory Committee's recommendations (A/8008) on the initial budget estimates (A/8006); secondly, the outcome of the manpower surveys carried out in ECA, the Office of Conference Services, the Office of Public Information and UNIDO; thirdly, the Secretary-General's proposal (see A/C.5/1309) to maintain the total level of staff for all offices and departments in 1971 within the level approved for 1970; and fourthly, the Advisory Committee's recommendations (A/8008/Add.1) on the revised estimates submitted earlier in the current session as a result of recent decisions by the Economic and Social Council (A/C.5/1302 and Add.1). A full analysis of the factors involved was provided in paragraph 2 of the Advisory Committee's report (A/8008/Add.4). Para-

graph 3 of that document indicated the elements which had not been taken into account in the revised estimates. The latter applied only to certain expenditure and income sections of the budget for 1971 and in no way represented a consolidation of the budget proposals for 1971 as a whole. The Advisory Committee had devoted particular attention to the impact of the manpower surveys which had been carried out. It had tried to present as clearly as possible the staffing changes arising from those surveys and, in so doing, had provided the Fifth Committee with information made available to it on the recommendations of the Administrative Management Service as they affected staff utilization and deployment and also such matters as organization and management. The Advisory Committee's conclusions were set out in paragraphs 56-62 of its report, in which it urged that all the recommendations should be given the most serious consideration. At the same time, it voiced concern at the tendency towards a top-heavy structure in the Secretariat. The Advisory Committee concurred in the revised estimates submitted by the Secretary-General.

3. The revised request under section 3 was \$82,166,500—almost \$1.5 million below the Secretary-General's initial estimate and some \$500,000 less than the Advisory Committee's original recommendation. Those figures should be viewed in the context of the Administrative Management Service survey of the Secretariat and the Secretary-General's statement (A/C.5/1309) to the Committee at the 1357th meeting. The revised estimates embodied the steps taken by the Secretary-General to give effect to the findings of the Administrative Management Service's survey of ECA, the Office of Public Information and the Office of Conference Services. As a result, the revised estimates showed an increase under chapter I (Established posts) and a considerable decrease under chapter V (Provisional staffing requirements). That was because the provisional posts under chapter V had been requested by the Secretary-General pending the Administrative Management Survey. When all the units of the Secretariat had been surveyed, chapter V would disappear.

4. The results of the Administrative Management Survey survey of ECA, the Office of Public Information and the Office of Conference Services were described in paragraphs 10-35 of the Advisory Committee's report. Viewed from the departmental level, the overall adjustment resulting from the survey had been small but its impact was more significant at the level of divisions and, more especially, of units within divisions.

5. The revised estimate under chapter I was more than \$4 million above the revised appropriation for

* Resumed from the 1384th meeting.

1970. More than three-quarters of that increase was broadly attributable to inflationary pressures. The main factor in the remainder was the proposed conversion of provisional and temporary assistance posts into established posts—a process which did not increase the over-all manpower available to the Secretariat.

6. Under chapter II (Temporary assistance for meetings), the Secretary-General had accepted a reduction of \$150,000 recommended by the Advisory Committee in its first report (A/8008). The revised estimate for 1971 was \$100,000 less than the revised appropriation for the current year. He drew attention to paragraph 157 of the Advisory Committee's first report which pointed out that Member States could contribute to reducing the requirements for temporary assistance at meetings.

7. The revised request under chapter III (Other temporary assistance) was some 10 per cent above the Advisory Committee's initial recommendation, and some 20 per cent above the revised appropriation for 1970. The increase was due partly to inflationary pressures, partly to additional requirements arising from decisions by the Economic and Social Council at its forty-eighth and forty-ninth sessions, and partly by proposals by the Administrative Management Service to liquidate a work backlog in the Office of Public Information and the Office of Conference Services.

8. As to chapter IV (Overtime and night differential), the revised estimate was virtually the same as the revised appropriation for the current year. It reflected the reduction of \$85,000 recommended by the Advisory Committee in paragraph 164 of its first report.

9. Under chapter V, the Secretary-General was requesting \$1,250,700 as opposed to an initial estimate of almost \$3 million. The main factors in the decrease were the conversion of a number of provisional posts to established posts in the units already surveyed by the Administrative Management Service, and the Secretary-General's proposal to maintain the total 1971 level of staff within that approved for 1970. The revised estimate was some \$680,000 more than the revised appropriation for 1970. That increase was largely attributable to the low level of utilization of provisional posts. None of the figures which he had given took any account of the financial implications of a possible decision by the General Assembly as to salary scales for Professional and higher categories of staff.

Salary scales for the Professional and higher categories (continued) (A/8008/Add.3, A/C.5/1303 and Add.1, A/C.5/L.1049, A/C.5/L.1050, A/C.5/XXV/CRP.7, A/C.5/XXV/CRP.9)

DRAFT RESOLUTION A/C.5/L.1050

10. Mr. BAROODY (Saudi Arabia), referring to the procedural joint draft resolution (A/C.5/L.1050) which his delegation had introduced at the 1390th meeting, said that the first and second preambular paragraphs were statements of fact. Although some delegations

had argued that the staff had been given an opportunity to express its views to the Fifth Committee in document A/C.5/1303/Add.1, that document had been prepared prior to the current debate. The third preambular paragraph was based on the operative paragraph of resolution II of the Staff Council in annex I of that same document. None could deny that the questions of staff salaries had, indeed, reached a critical stage. The operative paragraph of the draft resolution was self-explanatory. In addition to the Chairman of the United Nations Headquarters Staff Committee, a representative of the Federation of International Civil Servants' Associations should be invited to address the Committee, since FICSA represented all the staff associations of the United Nations system. Furthermore, it would be wise to ask the FICSA representative to appear before the Committee because reference had been made during the debate to conditions in the various specialized agencies and in the United Nations Office at Geneva. In view of the malaise permeating the United Nations international staff, he urged the Committee to hear those representatives in a democratic manner. He recalled that one economist had written: "The dynamics of capitalism is the postponement of enjoyment to the constantly postponed future". By the same token, the current United Nations salaries might be considered as the perpetuation of an impecunious state due to the parsimony of some wealthy States Members of the Organization.

11. Mr. STARK (Under-Secretary-General for Administration and Management) said that the Fifth Committee must be assumed to be the complete master of its own procedures. The procedural proposal now before it was not entirely without precedent. During the General Assembly's fourth session, in 1949, there had been a proposal that the Chairman of the Staff Committee should address the Fifth Committee with regard to the establishment of the United Nations Administrative Tribunal; he had done so at the end of the debate in question. At the fifth session, during a debate at the Fifth Committee's 266th meeting, on 20 November 1950, on a Polish proposal that it should invite representatives of the Staff Association to appear before it, the Assistant Secretary-General in charge of the Department of Administrative and Financial Services had quoted the following passage from the report of the Secretary-General on the permanent staff regulations of the United Nations:

"... the Staff Committee had asked that it should be permitted to present its views directly to the General Assembly. The Secretary-General believed that such a course would be administratively unsound and would establish an unfortunate precedent, but that the final decision must of course lie with the General Assembly."¹

In the event, the Polish proposal had been rejected. He himself could only echo the statement made by the Secretary-General's representative on that occasion. There was no precedent for a representative of FICSA to speak before the Fifth Committee

¹ *Official Records of the General Assembly, Fifth Session, Annexes, agenda item 42, document A/1360, para. 13.*

although, of course, that organization had not existed in 1950. Its status in some of the specialized agencies was open to question in that it was an association in which each component organization carried the same weight.

12. Mr. BAROODY (Saudi Arabia) observed that the Fifth Committee was not bound by precedent, valuable though precedents sometimes were. He wondered whether the Secretary-General scrutinized the Organization's financial and staff affairs personally or whether he delegated that task to a body which paid heed to the protests of the staff. He asked whether it was just that those who acted in the name of the Secretary-General in such matters should behave as if they wanted arbitrarily to muzzle the Staff Association and FICSA.

13. Mr. STARK (Under-Secretary-General for Administration and Management) said that he had felt it his duty to draw the Committee's attention to the fact that there were two precedents to guide the Committee, which pointed in opposite directions. Such had been his sole purpose.

14. Mr. BAROODY (Saudi Arabia) pointed out that the Under-Secretary-General for Administration and Management had commented on his delegation's proposal before other members of the Committee had expressed their views, and might thus have influenced delegations which were as yet undecided. The statement in question could well have been made at a later stage in the debate.

15. Mr. ARBOLEDA (Colombia) said that his delegation had co-sponsored draft resolution A/C.5/L.1050 because it felt that the inclusion of Staff Association resolution II in the Secretary-General's report on the item (A/C.5/1303/Add.1, annex I) indicated that the Secretary-General wished the Fifth Committee to hear the staff representatives on a subject of great concern to the staff. That impression had been confirmed by the statement just made by the Under-Secretary-General for Administration and Management. Moreover, since the Staff Council was a duly constituted organ which had been referred to in Staff Regulation 8.1, there could be no doubt as to the legality of the invitation and, hence, there was no valid reason not to grant to the staff representatives the right to address the Fifth Committee.

16. Mr. FAURA (Peru) asked the Under-Secretary-General for Administration and Management whether the Secretary-General objected to the Fifth Committee's hearing the staff representatives' views.

17. Mr. STARK (Under-Secretary-General for Administration and Management) said that the Secretary-General recognized the full authority of the Fifth Committee to decide the issue on the basis of the rules of procedure of the General Assembly. There was no reason why the Secretary-General should oppose the presence of the staff representatives in the Committee nor had he indicated any such opposition.

He himself felt that the precedents he had cited were pertinent, but it was the Fifth Committee which must decide the matter, taking into consideration the relationship between the Secretary-General as chief administrative officer and the staff for which he was responsible.

18. Mr. FAURA (Peru) said that, since the Secretary-General had no objection to the Fifth Committee's hearing the staff representatives, he would support the draft resolution.

19. Mr. KEENLEYSIDE (Canada) said that, inasmuch as the precedents cited by the Under-Secretary-General for Administration and Management were contradictory, the question would have to be decided from the standpoint of the best procedure to follow. It had hitherto been the Fifth Committee's practice to recognize that the Secretary-General or his representatives spoke for the staff. In his view, a consistent practice should be departed from only if there was good reason for doing so, but in the present instance there was no reason to suspect that the staff was being done an injustice or that the Secretary-General had not properly represented the case the staff had made to ICSAB and the Advisory Committee. Since he felt that the adoption of the draft resolution would create an undesirable precedent, he would vote against it.

20. Mr. NAUDY (France) doubted whether it was proper for the Fifth Committee to hear representatives of the staff, of which the Secretary-General was chief administrative officer, as legislative organs had no right to interfere in what was clearly the prerogative of the executive, whose authority should be upheld. Parliaments, for example, did not hear labour unions because of the principle of separation of powers. Moreover, the Fifth Committee was familiar with the views of the Staff Association, as they had been conveyed to ICSAB and embodied in document A/C.5/1303/Add.1 to which the Under-Secretary-General for Administration and Management himself had drawn attention. He doubted whether the statements by the staff representatives would provide any further enlightenment and he would therefore vote against the draft resolution.

21. Mr. GUPTA (India) said that his delegation would normally have opposed the somewhat novel proposal to invite staff representatives to discuss in the Fifth Committee an issue on which they had already made their views known directly through the written statement placed before the Committee (A/C.5/1303/Add.1) and indirectly through their discussions with the Secretary-General and his representatives, because such an invitation would create an anomalous situation and an undesirable precedent which might adversely affect the role of the Secretary-General as the chief representative and spokesman of the staff. Such a proposal also had certain implications for Article 101 of the Charter, which required careful examination.

22. Nevertheless, in the present instance, his delegation would not oppose the proposal because of the particular circumstances of the case. Some delegations

felt there was justification for affording the staff representatives an opportunity to explain their views personally to the Committee because their views had been questioned by a number of delegations and because the issue itself was of the utmost importance to the morale and efficiency of the staff. Hence it would be only fair to hear the staff representatives on the subject. Moreover, since his delegation had questioned the criteria on which the proposal for an increase in salaries had been based, it felt that its position might be misunderstood if it voted against the draft resolution. It would, accordingly, abstain.

23. Mr. FERNANDEZ MAROTO (Spain) said that, since Article 97 of the Charter made the Secretary-General the chief administrative officer of the Organization, it was logical that only he should represent the staff in the Fifth Committee. That Committee should not hear any other staff representatives on any particular issue unless the Secretary-General gave his express authorization. His delegation believed the paramount consideration should be to uphold the Secretary-General's authority.

24. Mr. RHODES (United Kingdom) said that draft resolution A/C.5/L.1050 was not simply a procedural document but rather a proposal having far-reaching implications and constitutional ramifications. It was worth recalling that, under Article 101 of the Charter, the staff of the United Nations and ICSAB were both appointed by the Secretary-General, and the regulations governing the staff, including those relating to salaries, were established by the General Assembly. The staff had explained its views on the matter of salaries to ICSAB. Although the Advisory Committee's decision to hear the staff was a somewhat questionable one, he felt its decision was justified by the special circumstances of the case. It would, however, be improper for the Fifth Committee, as a legislative organ, to hear either the staff—or for that matter the head of the IAEA—because if it did it might eventually have to arbitrate disputes between the Secretary-General and his staff. The fact that on the present occasion the Secretary-General and the staff were in agreement should not blind the Committee to the implicit dangers of the situation. He would therefore vote against the draft resolution but was uneasy since in his view a committee made up of 127 Member States was not well equipped to deal with matters as technical as the one under discussion.

25. Mr. MSELLE (United Republic of Tanzania) said that, despite the contrary precedents that had been cited, the impression he had received from the statement by the Under-Secretary-General for Administration and Management was that the Secretary-General considered that the decision rested in the hands of the Fifth Committee. That being so, the Committee, in taking its decision, must not prejudice the Secretary-General's rights and privileges as the main spokesman for his staff. If the Fifth Committee invited the staff representatives to appear it might give the impression that it did not have complete confidence in the Secretary-General's statements or reports or in those of his representatives. He doubted whether the Staff

Association could challenge or improve the figures used by the Secretary-General. He realized the delicate nature of the subject but thought that the Committee should not for that reason take a decision which might have undesirable consequences in the future. Accordingly, he would abstain in the vote on the draft resolution.

26. Mr. TARDOS (Hungary) said that the Fifth Committee had had a long discussion on the item during which the Secretary-General and his representatives had on several occasions given information and conveyed the staff's views. To invite the staff representatives to address the Committee at the present stage would be an impractical step which would prolong the debate and would be unlikely to affect its outcome, inasmuch as the members of the Committee were representatives of Governments acting on instructions. His delegation was willing to base its position on the issue on the statements made by the Secretary-General and his representatives. He would vote against the draft resolution, especially since the operative paragraph did not make it clear how many persons were to be invited to speak.

27. Mr. BAROODY (Saudi Arabia), referring to the Canadian representative's statement, said that the relationship between the Secretary-General and the staff was not the same as that between proxy and principal. The majority of the Secretariat staff was disgruntled and rightly so.

28. Referring to the United Kingdom representative's statement, he said that the Secretary-General was not infallible on administrative and budgetary matters; he could not concern himself with every detail of the Organization's administration. Precedents should be disregarded if they did not suit the occasion. In modern times even students had a voice in the running of the institutions they attended. Was the staff of the United Nations to be denied privileges granted to students? The Fifth Committee should be an *avant-garde*; it should not live with an antiquated system governed by precedents or subject itself to bureaucratic methods.

29. Referring to the Hungarian representative's statement, he said that the intention of the sponsors of the draft resolution was that only the Chairman of the Staff Committee of the United Nations Staff Association and the General Secretary of FISCA should be invited to address the Committee. The repercussions of any refusal to allow them to address the Committee might be very serious. The sponsors of the draft resolution had complete confidence in the Secretary-General; nevertheless, they felt that the staff representatives must be allowed to address the Committee in the light of the current debate.

30. In conclusion, he requested that the vote on the draft resolution be taken by roll-call.

31. Mr. CLELAND (Ghana) said that the views of the Staff Association, which had been championed by the Secretary-General, the Under-Secretary General for Administration and Management and the Con-

troller, were to be found in the annexes to document A/C.5/1303/Add.1. In the circumstances, his delegation was unable to support the draft resolution and would abstain in the vote.

32. Mr. STOBY (Guyana) said that on no account should the authority of the Secretary-General be undermined. The Secretary-General was, however, in a difficult position; on the one hand he was the representative of staff members and on the other their employer. It seemed that he would not object, as he had at the twenty-fourth session, to staff representatives addressing the Fifth Committee. It was, therefore, for the Committee to take a decision. Should the Committee endorse the draft resolution it was important that its decision be regarded as exceptional and not create a precedent. It should not seem that the Committee was encouraging the idea that it should hear the staff on all staff matters, which should normally be discussed with the Advisory Committee.

33. His delegation would support the draft resolution, although it would have preferred the sponsors to specify that only the Chairman of the Staff Committee and the General Secretary of FISCA would address the Committee.

34. Mr. STARK (Under-Secretary-General for Administration and Management), referring to the Guyanese representative's mention of an occasion during the twenty-fourth session when a kindred subject had been discussed, said that the Secretary-General's position was unchanged. The Secretary-General had not then objected, and did not now object, to staff representatives addressing the Fifth Committee. What he had said was that he thought the Fifth Committee should consider carefully whether it should hear someone other than himself or his representative on matters of internal concern.

35. Mr. ESFANDIARY (Iran) said that any legislative body deciding on such a matter as salary increases must be in possession of all relevant information including the views of those directly concerned. That was a principle which should be respected. His delegation wished to suggest, however, that in the operative paragraph of the draft resolution, the words "to make statements" should be replaced by the words "to present their views fully in writing which shall be circulated as a Committee document".

36. Mr. BAROODY (Saudi Arabia) said that he would have to discuss the proposal first with the other sponsors and then with the Chairman of the Staff Committee and the General Secretary of FISCA. He warned the Fifth Committee that there was a possibility that the staff would strike; if that happened, the Organization would be the laughing stock of the world. If there was a rebellion he would join it and he would defend the

human rights of the staff in the Third Committee and in the General Assembly.

37. Mr. FAURA (Peru) suggested that neither the sponsors of the draft resolution nor those delegations which supported it had the slightest intention of questioning the Secretary-General's authority or of creating a precedent. The Fifth Committee was discussing a special question and was trying to obtain as much relevant information as possible before the vote. On two or three occasions, the Under-Secretary-General for Administration and Management had said that the Secretary-General had no objection to the staff representatives addressing the Committee. There was no question, therefore, of a lack of respect for the Secretary-General or of failure to recognize his authority. It would be a crying shame if the staff was not allowed to express its views on a matter of such importance to it.

38. Mr. ARBOLEDA (Colombia) agreed with the Peruvian representative that there was no intention of undermining the authority of the Secretary-General. The wish of the sponsors of the draft resolution was that the staff representatives should express their views in the light of the current debate, in other words, in the light of arguments advanced since the Secretary-General's statement (1383rd meeting). In any case, the Under-Secretary-General for Administration and Management had said that the Secretary-General did not object to the Fifth Committee inviting the staff representatives to address it on the subject. In submitting the draft resolution, the sponsors had been offering the Secretary-General their sincere co-operation. The Secretary-General was responsible for staff efficiency. The sponsors were convinced that if their draft resolution was adopted, staff discontent would be reduced and, consequently, staff efficiency improved. The fact that the Secretary-General had circulated a document (A/C.5/1303/Add.1) containing the texts of resolutions on the subject adopted by the Staff Association, indicated that he did not view with disfavour the Staff Association's request, made in its resolution II, adopted on 13 November 1970, that the Fifth Committee should receive the Staff Committee Chairman to hear directly the views of the staff on the critical matter of salaries. In order to prevent a decline in staff morale, the Committee should agree to hear the staff representatives.

39. Mr. BAROODY (Saudi Arabia), referring to the Iranian amendment to the draft resolution, said that while he would be prepared to accept it other parties directly concerned would not. In view of comments made during the discussion, the words "Chairmen of other constituted United Nations staff committees", in the operative paragraph, should be replaced by the words "General Secretary of the Federation of International Civil Servants' Associations".

The meeting rose at 1.10 p.m.