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CONTENTS

	Page
<i>Agenda item 70:</i>	
<i>Personnel questions (continued):</i>	
(a) <i>Geographical distribution of the staff of the Secretariat: report of the Secretary-General (continued);</i>	
(b) <i>Proportion of fixed-term staff (continued)</i>	237

Chairman: Mr. Jan Paul BANNIER
(Netherlands).

AGENDA ITEM 70

Personnel questions (continued):

- (a) **Geographical distribution of the staff of the Secretariat: report of the Secretary-General (A/5270, A/C.5/933 and Corr.1, A/C.5/L.727 and Add.1 and Corr.1, A/C.5/L.747, A/C.5/L.751) (continued);**
- (b) **Proportion of fixed-term staff (A/C.5/938, A/C.5/L.749 and Corr.1) (continued)**

1. Mr. ALLOTT (United States of America) said that the Secretary-General had submitted an excellent report (A/5270) and had given serious attention to the substance of the problem of geographical distribution. The United States Government was not, however, entirely in agreement with the views presented by the Secretary-General.

2. While acknowledging the need to improve geographical distribution, the United States delegation had always maintained that the paramount consideration in recruitment was the need to provide the Organization with staff with the highest standards of efficiency, competence and integrity, which meant that those factors could not be sacrificed as an expedient to achieve a wider geographical distribution more rapidly. The paramount consideration set out in the first sentence of Article 101, paragraph 3, of the Charter was entirely consistent with the selection of staff on a wide geographical basis and the United States Government had always supported the action taken by the Secretary-General to improve geographical distribution.

3. In the view of the United States delegation, the directives contained in Article 101, paragraph 3, of the Charter were addressed to the Secretary-General alone and must, in the last analysis, be interpreted by him. The Assembly might give the Secretary-General advice or criticize any action he took with regard to recruitment, but it should never attempt to give him detailed instructions on the manner in which he should carry out the directive contained in the Charter. If it did so, it would be violating the spirit of Article 100, which provided that the staff should be free from all political influence. For that

reason, it would be dangerous to impose a rigid mathematical formula for recruitment on the Secretary-General or to define too explicitly all the factors that he should take into consideration.

4. Those who, on the basis of Article 101, paragraph 1, of the Charter, attempted to deny the Secretary-General's sole responsibility for recruitment should note that the "regulations established by the General Assembly" referred to in that paragraph had always been the Staff Rules and Regulations, which related only to the conditions or service of staff after their appointment. It had never been proposed that the General Assembly, which was a political organ, should deal with appointments. As early as the third session, the Fifth Committee had recognized in its report that the authority and responsibility for applying the principles laid down in Article 101, paragraph 3, lay with the Secretary-General.

5. Turning to the substance of the Secretary-General's report, he said it was interesting to see that the Secretary-General did not think that population should be taken into account as a separate factor in correcting imbalances in the geographical distribution of the staff. The Secretary-General pointed out that the range in population was extremely great between the smallest and the largest Member and that four States aggregated more than half of the population of Member States and that three more took up another 10 per cent. On the other hand, about two-thirds of the Members had populations of less than 10 million and would gain little from the introduction of population as a factor.

6. In addition, the population of all the African States south of the Sahara—twenty-six States—was only 5 per cent of the total for all Member States, that of the Arab States only 3.3 per cent, and that of the nineteen Latin American countries less than 7 per cent. The Soviet Union and its allies had less than 11 per cent and only five States in Asia had a population of 28 million or more.

7. The Secretary-General, however, noted that population was not without significance in the determination of the scale of assessments, a decisive factor in the distribution of posts, as assessments were adjusted downwards for countries with low per caput incomes. Thus, in the case of two countries with the same national income, the country with the largest population had a smaller assessment and might therefore be regarded as entitled to fewer posts than the less populated country. In order to correct any inequities resulting from the application of that formula to the geographical distribution of posts, the Secretary-General proposed that he should be given a reserve or "float" of 100 posts (A/5270, para. 25). The United States delegation was prepared to accept that proposal. However, it was only as a corrective in that particular situation, where population was

already an element in determining the final scale of assessments for countries with low per caput income, that population could be considered as being in any way relevant to the question of an equitable geographical distribution of posts.

8. The United States delegation attached great importance to the existence of a body of international career staff as a guarantee of the integrity and independence of the Secretariat. It would therefore support, although with some hesitation, the proposal to maintain the proportion of fixed-term contracts at 25 per cent for a limited period because the Secretary-General considered that that measure was essential if he was to be able to improve geographical distribution. His delegation would, however, oppose any proposal to increase that proportion further, as any further dilution of the career service would do serious damage both to the morale of the present employees and to the recruitment of qualified personnel. For the same reason, he could not support the Czechoslovak draft resolution (A/C.5/L.749 and Cor.1), which would reduce the Secretariat's efficiency and undermine its independence.

9. Because it felt that responsibility for recruitment lay with the Secretary-General and not the Assembly, the United States delegation would have preferred the joint draft resolution (A/C.5/L.747) to note with approval the report of the Secretary-General and invited him to continue his efforts to improve geographical distribution. The present text, which the sponsors had introduced as being entirely consistent with the report of the Secretary-General, actually took up only some of the Secretary-General's conclusions and recommendations; for example, it said nothing about General Service staff. The United States delegation, which would be submitting two amendments to the draft resolution, would like to have an assurance from the sponsors that their text did not imply a negative attitude towards those recommendations of the Secretary-General which were not mentioned.

10. He paid a tribute to the career staff now serving the Organization. Their positions were much less secure than that of national career services and involved risks which were still largely undefined. In a world torn by tensions and conflicts, they had accepted the heavy obligation of acting with the interests of the Organization alone in view.

11. Mr. ROMANOV (Ukrainian Soviet Socialist Republic) said that he felt obliged to make a statement in the present debate, if only because his country had no more than 5 staff members in the Secretariat whereas it should have 30. It was encouraging, of course, that the Secretary-General was willing to do his utmost to make the geographical distribution of posts satisfactory, but there were a number of questions in his report which had not been given sufficient study, with the result that his proposals could be interpreted in different ways.

12. It was regrettable, for instance, that there was no proposal to increase the proportion of fixed-term staff, despite the recommendations to that effect that had been made at the sixteenth session. It was clear from the last sentence of paragraph 27 of the Secretary-General's report (A/5270) that the question had not been thoroughly studied. It hardly seemed necessary for the General Assembly itself to take a decision on whether the principle of geographical

distribution should apply to any particular category of staff; it was obvious that it should be applied to the staffs of the voluntary programmes and to the General Service staff for instance.

13. Although paragraph 65 of the same report stated that for the last several years the General Assembly had encouraged an increase in fixed-term appointments, the Secretary-General nevertheless wished to maintain the proportion of fixed-termed contracts at 25 per cent and he could produce no valid arguments to justify his position. All the talk of the advantages of an international career service created the impression that the United Nations existed for its staff, whereas the contrary was true.

14. The delegations which insisted on the need to allow the Secretary-General a greater freedom of action in all personnel matters did not seem to realize that Article 101 of the Charter already gave him sufficiently wide powers, powers that would enable him to redress the injustices which had been committed in the distribution of posts. Unfortunately, a careful examination of the Secretary-General's report gave no clear indication of the means to be employed to redress those injustices, of which the Ukraine and many other countries had been the victims. In practice, the Western countries were maintaining their dominant position in the Secretariat to the detriment of the socialist and neutralist countries.

15. He therefore took exception to the joint draft resolution (A/C.5/L.747). Although the representatives of Iraq and Brazil had explained that it had been their intention to avoid controversial questions and had pointed out that their text made no mention of fixed-term appointments, the ensuing discussion had shown that many delegations were not satisfied with that text, which took up only some of the Secretary-General's proposals.

16. The Committee must try to create the conditions which would enable the Secretary-General and the Secretariat to make a more thorough study of the geographical distribution of the staff. For that reason, it would be better, as the United States representative had said, if it merely took note of the Secretary-General's comprehensive report and invited him to continue his efforts to review the situation and to report to the Assembly at the eighteenth.

17. He hoped that the sponsors of the joint draft resolution would reconsider their position and take into account the draft resolution submitted by the Czechoslovak delegation (A/C.5/L.749 and Corr.1).

18. Mr. ARBOLEDA (Colombia) said that it was in the capacity of chief administrative officer, accountable for the smooth functioning of the Secretariat and solely responsible for producing a practical solution to the problem of geographical distribution, that the Secretary-General had submitted to the Committee the report (A/5270) which it had asked him to prepare at the sixteenth session. It was in that light that the report should be studied.

19. A number of delegations considered that Secretariat posts should be apportioned on the basis of certain political and military divisions of the world and according to whether the countries of which staff members were nationals were "socialist", "neutralist" or "members of Western military alliances". The Colombian delegation did not see what possible

bearing political ideologies or military alliances could have on the geographical distribution of the Secretariat staff. It would then no longer be so much a question of geographical as of political and military distribution, and in that case there would be nothing to prevent the Secretary-General from choosing his staff according to, say, racial or religious criteria. The Fifth Committee was essentially a technical body, and extravagant ideas of that kind could only detract from the seriousness of its work. The only valid distribution was the one considered in the Secretariat documents, namely, a purely geographical distribution.

20. The staff of the Secretariat must be regarded as exclusively international in character, since there was no provision in the Charter under which it could be thought of in any other light. His delegation's primary concern was that staff members should possess the qualities of efficiency, competence and integrity required by the Charter, and it had no interest in their country of origin, their political ideologies or the military alliances concluded by the Governments of which they were nationals.

21. However, his delegation recognized the obligation to ensure a measure of geographical representation in the staff of the Secretariat, in particular because it was right that the new States recently admitted to the Organization should have a certain number of their nationals in the Secretariat.

22. But important as it was, geographical distribution was only a secondary consideration under Article 101 of the Charter compared with the paramount necessity of securing the highest standards of efficiency, competence and integrity. It was clear from that Article that geographical distribution should be taken into account only if that could be done without impairing the efficiency of the career staff, which would be undermined if obstacles to promotion were to lower their morale.

23. His delegation attached great importance to that point, which had been brought up by several representatives, notably those of Australia, Canada, Ecuador, Israel, the United Kingdom and, above all, by Denmark at the 952nd meeting.

24. His delegation regretted that the report of the Secretary-General, which in other respects represented an important effort towards improving geographical distribution, mentioned two facts likely to have a direct impact on staff morale, namely, the use of the system of fixed-term appointments and the recruitment of new staff members to more senior posts than those held by career staff.

25. The fact was that new staff members could not really become part of the Organization unless they joined it to make it their career and not just to undergo a limited period of training which would enable them, after a few years, to do more effective work in the civil service of their own countries. In any case, that kind of training was a matter for technical assistance and should not be given in the Secretariat. The Secretary-General should appoint staff members for a fixed term only when there was no other way of obtaining the necessary specialized staff or in order to perform temporary duties. But the systematic use of fixed-term contracts, especially in the case of senior posts, would reduce promotion opportunities for the career staff and sap their morale; it would also reduce efficiency, since staff members appointed for a fixed term lost

all interest in their work just when they were getting to know the Organization, as at that point they were already preparing to leave it. In addition, that policy was extremely costly as staff members recruited for two years enjoyed three months' paid vacation.

26. In the second place, staff members recruited from the outside were often appointed to relatively senior posts which should normally go to career staff who had long service and whose work gave satisfaction; such staff, incidentally, were often obliged themselves to carry out a part of the work theoretically assigned to the new recruits, who were not familiar with the Organization and did not always have the necessary knowledge. Under regulation 4.4 of the Staff Regulations, the fullest regard was to be had, in filling vacancies, to the requisite qualifications and experience of persons already in the service of the United Nations. If that rule was not observed, the end result would be to overburden the existing staff, reduce the chances of promotion, destroy the concept of a genuine international career and make staff members lose all confidence in the Organization.

27. The Secretary-General could not be held responsible for that situation, since he was subjected to constant pressure by certain Member States, in violation of Article 100, paragraph 2, of the Charter. If Member States conceded that the Secretary-General was exclusively responsible for the administration of the Secretariat, they could not in all fairness interfere in the execution of his task. The only solution was therefore to leave the Secretary-General sole discretion to deal with the problem and to trust him to resolve it in such a way as to satisfy the aspirations of countries which wished to have their nationals on the staff, but without jeopardizing the interests of the older staff members. In the light of those observations, his delegation would support the recommendations submitted by the Secretary-General in his report.

28. The CHAIRMAN drew the Committee's attention to the fact that, in the French text of the Czechoslovak draft resolution (A/C.5/L.749 and Corr.1), the second part of operative paragraph (c) had been amended to read as follows: "et à n'offrir aucun contrat de ce type aux hauts fonctionnaires du Secrétariat". The Chinese, English, Russian and Spanish texts would be corrected accordingly.

29. Mr. MORRIS (Liberia) commended the Secretary-General on his report (A/5270), which offered hope that hitherto apparently irreconcilable points of view might be brought together. Indeed, it was clear that important progress had already been made with regard to the regional representation of the staff of the Secretariat.

30. However, as far as Africa was concerned, his delegation feared that too much emphasis had been placed on regional representation at the expense of representation by country, and in particular that the interests of the countries south of the Sahara had been sacrificed to those of other African countries. The concept of strictly geographical representation laid down in Article 101 of the Charter must not be usurped by one of political or regional distribution. More specifically, he pointed out that one of the two Liberian nationals employed in the Secretariat had not yet been given a fixed-term contract. The African continent as a whole was well represented,

with 5.7 per cent of the total staff, but most of the posts allocated to it were held by nationals of only two Member States. The Acting Secretary-General himself realized that some countries, at their present stage of development, could not afford to lose the services of the few competent people they had but, as they progressed, those countries would be able to make a larger number of their nationals available to the Secretariat. In view of that prospect, the Liberian delegation wished to avoid the adoption of any unduly rigid recruitment formula at the present stage.

31. For the same reasons, his delegation believed that the proportion of fixed-term contracts should be increased to 30 per cent. That type of contract was common in the business world, for example, and did not seem to be in the least harmful to the efficiency of business enterprises. In the United Nations, such contracts would give the nationals of developing countries an opportunity of observing the functions of a world organization at first hand. His delegation hoped that the increase in the proportion of fixed-term contracts would also prevent one or two States from pre-empting most of the posts allocated to Africa.

32. He would prefer less weight to be given to the population factor in the formula used to determine the desirable range of posts. Apart from the considerations mentioned in paragraph 23 of the Secretary-General's report, the developing countries could look forward to an improvement in their economic status rather than to any substantial increase in their population.

33. The Czechoslovak draft resolution (A/C.5/L.749 and Corr.1) reflected something of a paradox. A socialist country in which the State elaborately protected the individual might have been expected to propose ways of giving staff members the security of permanent employment.

34. In any event, the developing countries distrusted any arithmetical formula because, since it would necessarily be based on the present situation, in other words, on an inequitable geographical distribution of staff, it was likely to perpetuate or create imbalances. The Liberian delegation supported the proposals of the Secretary-General in paragraph 69 of his report because they seemed likely eventually to satisfy Liberia's wishes with respect to the geographical distribution of staff. If the whole Committee took that view, the Acting Secretary-General could undertake the delicate task before him without jeopardizing the interests of the career staff at present employed in the Secretariat.

35. In reply to a question from the Czechoslovak representative, he added that his comments on the proportion of fixed-term contracts and on draft resolution A/C.5/L.749 and Corr.1 should not be regarded as proposed amendments.

36. Mr. LIVERAN (Israel) said that he would refrain from reviewing the basic principles at stake or from indulging in the mathematical exercises which some representatives sought to substitute for the straightforward observance of the provisions of the Charter. The Secretary-General, in submitting to the General Assembly his considered views on how the geographical distribution of the staff of the Secretariat could be improved, had done what the Committee had asked

him to do. In reality, the Committee had asked him to find a cure without specifying the nature of the disease. The least it could now do was to examine carefully the proposals the Secretary-General had submitted to it in paragraph 69 of his report.

37. Most of the proposals and suggestions made during the debate were based on the provisions of the Charter and, specifically, on Article 101. The text of that Article had been quoted in whole or in part, and had been invoked and interpreted in support of a variety of arguments. There could, however, be no denying that the "necessity" of securing the highest standards of efficiency, competence and integrity involved a stronger obligation than the "importance" of recruiting the staff on as wide a geographical basis as possible. In no case could an "important" consideration take precedence over a "necessity". However, curiously enough, the Committee's discussions on personnel questions never dealt with the qualifications of the Staff; instead, representatives went into great detail on the question of geographical distribution. Obviously, subjective considerations triumphed over logic, which was not surprising since, after all, it was quite natural that a Member State should wish to have its nationals on the staff of the United Nations too. Nevertheless, year after year, the discussions in the Committee had had the effect of distorting the meaning of the terms used in the Charter or of introducing phrases which simply were not there. For example, whereas the authors of the Charter spoke of "as wide a geographical basis as possible", the phrase in current use was "equitable" geographical distribution. Similarly, some delegations sought to substitute an ideological or political division for geographical distribution. It was therefore understandable that the Secretary-General should sometimes be uncertain of what the Committee had in mind and his concern was reflected in the text of the proposals he had made in paragraph 69 of his report. The first proposal was drafted in terms very close to those of the Charter but, from the first sentence of the second proposal, it became clear to what extent ideas that had originally been straightforward had become distorted. By specifying that he was speaking of the "Secretariat proper", the Acting Secretary-General had undoubtedly sought to rule out the question of the application of the principle of geographical distribution to other organs. Similarly, by referring to "Professional posts", he probably intended to indicate that he did not think it appropriate to apply a formula for geographical distribution to General Service staff. In that connexion, he would not repeat the arguments in support of the Acting Secretary-General's position, for they had been very well stated by other representatives. Later in the text, there was the phrase "equitable geographical distribution", which had not been taken from any basic text. Every Member State probably had its own idea of what would constitute equitable geographical distribution without explaining what that expression meant. By using the word "equitable", it was actually allowing the Secretary-General some discretion in recognition of the fact that he was not being asked to do the impossible. After all, the Secretary-General could not very well be called upon to create 110 posts of Under-Secretary in order to satisfy all the Member States.

38. The method of computing the desirable range of posts had hitherto been based on the scale of assessments. While he was not taking up the cudgels in

defence of that method, he was not yet convinced that the other methods which had been suggested were better. Nor did he believe that a country's population could determine the value or importance of the contribution it would make to the international community. With regard to membership in the Organization, he had always held that a Member State could, if it so desired, be represented in the Secretariat. In the final analysis, his objection was to any attempt to translate the relative weight of those factors into a rigid mathematical formula. The Committee could legitimately expect the Secretary-General to do his duty, but it could not demand that he should perform miracles. For its part, it should clarify a situation which had become very confused. There had been new and seldom logical interpretations of the principle of geographical distribution. Some delegations had pressed for its extension to other organs like the Registry of the International Court of Justice; others wanted it to be applied at every level of the Secretariat.

Some countries, while emphasizing the vital importance of the principle, were asking that the regional economic commissions of which they were members should recruit their staff exclusively in the region concerned. Still others talked about equitable distribution by region, a concept which had no meaning if posts were very unequally distributed among countries within a given region.

39. Clearly, there was a great deal of confusion and, in the interests of removing it, the Committee should focus its attention on the Secretary-General's proposals and express its views, in general terms, on the results he had achieved and his future plans. He therefore regarded the suggestion of the Ukrainian representative as entirely logical and reasonable. However, if the sponsors of the draft resolutions maintained their proposals, he might decide to speak again.

The meeting rose at 12.55 p.m.