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Agenda item 104

PERSONNEL QUESTIONS

Report of the Fifth Committee

Rapporteur: Mr. Ali Ben-Said KHAMIS (Algeria)

I. INTRODUCTION

1. At its 4th plenary meeting, on 21 September 1979, the General Assembly decided to include in the agenda of its thirty-fourth session the item entitled:

"Personnel questions:

- (a) Composition of the Secretariat: report of the Secretary-General;
- (b) Other personnel questions: reports of the Secretary-General."

and to allocate it to the Fifth Committee.

2. The Committee considered the item at its 23rd, 26th, 27th, 29th to 36th, 42nd, 57th, 59th, 62nd to 64th, 79th and 84th meetings, held from 22 October to 17 December. The views expressed by delegations during the discussion are reflected in the relevant summary records (A/C.5/34/SR.23, 26, 27, 29-36, 42, 57, 59, 62-64, 79 and 84).

3. For its consideration of item 104 (a), the Committee had before it the following documents:

- (a) Report of the Secretary-General on the composition of the Secretariat (A/34/408);
- (b) Report of the Secretary-General transmitting a list showing, by office, department and organizational unit, the names, functional titles, nationality and salary level of all staff members of the United Nations Secretariat as at 30 June (A/C.5/34/L.4 and Corr.1);

(c) Note by the Secretary-General on access by staff representatives to the Fifth Committee (A/C.5/34/29);

(d) Note by the Secretary-General on recruitment missions (issued as a conference room paper);

(e) Paper containing information requested by delegations on the composition of the Secretariat (issued as a conference room paper);

(f) Note on the work of panels to investigate allegations of discriminatory treatment (issued as a conference room paper);

(g) Note by the Secretary-General transmitting a paper on access by staff representatives to the Fifth Committee submitted by the President of the Staff Committee at United Nations Headquarters (issued as a conference room paper);

(h) Note by the Secretary-General transmitting a paper on access by staff representatives to the Fifth Committee submitted by the Federation of International Civil Servants Associations (FICSA) (issued as a conference room paper).

4. For its consideration of item 104 (b), the Committee had before it the following documents:

(a) Report of the Secretary-General on the amendments made to the Staff Rules during the period from 1 July 1978 to 30 June 1979 (A/C.5/34/7);

(b) Report of the Secretary-General on the implementation of the classification systems for posts in the Professional and General Service categories (A/C.5/34/37).

II. CONSIDERATION OF PROPOSALS

5. At the 42nd meeting, on 9 November, the representative of India, on behalf of the States Members of the United Nations which are members of the Group of 77, introduced a draft decision (A/C.5/34/L.13), which read as follows:

"1. The General Assembly requests the Secretary-General to submit at its thirty-fifth session:

"(a) A detailed report outlining the basis on which the desirable ranges in effect in 1979 (posts subject to equitable geographic distribution) have been established, including the factors and criteria with their related percentage distributions, which have determined these desirable ranges.

"(b) A series of alternative tables of desirable representation for all Member States on the basis of a redistribution of the percentages used at present for the criteria of contribution and membership so as to reflect a membership percentage of 50 per cent or a membership percentage equal to that of contribution while maintaining the existing percentage in respect of the population factor. These alternative tables, which shall take into account the new scale of assessment for 1980-1982, shall include:

"(i) A range of increases in the lower limit of the present minimum desirable range;

"(ii) Increase in the upper limit of the present minimum desirable range;

"(iii) Suggested formulae for the removal or relaxation of the upper limits of the desirable ranges of developing Member States;

"(iv) Formulae for relating the population criterion directly to regional populations, with suggestions for its utilization by individual Member States.

"(c) An outline of any possible additional criteria which in the Secretary-General's considered view might also be utilized in determining a system of desirable ranges or representation with suggestions for their inclusion under (b) (i), (ii), (iii) and (iv).

"(d) A study on the implications of the establishment of a ceiling on the percentage contribution for calculating the personnel entitlement of any Member State.

"(e) A detailed description of the way the present weighted desirable ranges have been calculated with information as to the basis of this calculation, as well as a study dealing with an indicative evaluation of posts so as to ensure that Member States will have a balanced quantitative and qualitative representation.

"2. The General Assembly also requests the Secretary-General to present the reports and submissions outlined above for the consideration of Member States at least six weeks before the commencement date of its next regular session."

6. At the 57th meeting, on 23 November, the representative of Australia, on behalf of Australia, Denmark, Italy, the Netherlands, New Zealand, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland, and the United States of America introduced an amendment (A/C.5/34/L.22) to the draft decision (A/C.5/34/L.13), which read as follows:

"Delete paragraphs 1 (b), 1 (c) and 1 (d), as well as the second part of paragraph 1 (e) from the words 'as well as a study ...'";

"Renumber paragraph 1 (e) as new paragraph 1 (b);

"Insert the following new paragraph 1 (c):

"(c) A study of the composition of the Secretariat which outlines in the light of the primacy of Article 101 of the United Nations Charter and taking into account the views expressed in the Fifth Committee at the thirty-fourth session, the criteria which, in the Secretary-General's considered view, might be utilized in determining the system of desirable ranges or representation, together with any factual data and tables which the Secretary-General considers would assist the discussion of this question at the thirty-fifth session."

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7. At the same meeting, the Committee rejected the amendment by a recorded vote of 83 to 31, with 1 abstention. The voting was as follows:

In favour: Australia, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Denmark, Finland, France, German Democratic Republic, Germany, Federal Republic of, Greece, Hungary, Ireland, Israel, Italy, Japan, Luxembourg, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, Spain, Sweden, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Afghanistan, Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Burundi, Cape Verde, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Grenada, Guatemala, Guyana, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Morocco, Mozambique, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Abstaining: Burma.

8. At the same meeting, the Committee adopted draft decision A/C.5/34/L.13 by a recorded vote of 86 to 29, with 2 abstentions (see para. 19, draft resolution I, sect. I). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Brazil, Burma, Burundi, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Gabon, Ghana, Grenada, Guatemala, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Morocco, Mozambique, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Australia, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Denmark, Finland, France, German Democratic Republic, Germany, Federal Republic of, Hungary, Ireland, Israel, Italy, Japan, Luxembourg, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, Spain, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Greece, Ivory Coast.

9. Statements in explanation of vote were made by the representatives of Australia (also on behalf of New Zealand), Austria, Brazil, Canada, Chad, Egypt, Ghana, Greece, Indonesia, Ireland (on behalf of the nine members of the European Communities), Japan, Libyan Arab Jamahiriya, Morocco, the Netherlands, Nigeria, Panama, Pakistan, Peru, Portugal, Spain, Sweden (on behalf of the Nordic countries), Trinidad and Tobago, Tunisia, Turkey, the Union of Soviet Socialist Republics, the United Republic of Cameroon, the United States of America and the Upper Volta.

10. At the 62nd meeting, on 28 November, the Committee decided to recommend to the General Assembly that it should take note of the report of the Secretary-General (A/C.5/34/7) on the amendments made to the Staff Rules during the period from 1 July 1978 to 30 June 1979 (see para. 19, draft resolution I, sect. II).

11. At the 64th meeting, on 29 November, the representative of Japan, on behalf of Australia, Japan and Trinidad and Tobago, introduced a draft decision (A/C.5/34/L.25), which read as follows:

"The General Assembly,

"Decides to request the Secretary-General to pursue the improvement of the computerized roster of candidates in accordance with resolution 33/143 I 1 (c)."

12. At the same meeting, the Committee adopted draft decision A/C.5/34/L.25 without a vote (see para. 19, draft resolution I, sect. III).

13. At the 79th meeting, on 12 December, the representative of the Netherlands, on behalf of Denmark, Finland, France, the Netherlands, Senegal and Sweden, introduced a draft resolution (A/C.5/34/L.36), which read as follows:

"The General Assembly,

"Decides to accord to the staff, without prejudice to the authority of the Secretary-General as the chief administrative officer of the United Nations Organization, an increased measure of access to the Fifth Committee by:

"(a) Enabling the staff of the United Nations Secretariat to circulate a paper to the Committee through the Secretary-General, setting out staff views on matters affecting them under the agenda item entitled 'Personnel questions';

"(b) Enabling a single recognized representative of the staff of the United Nations Secretariat to make a statement to the Committee at the beginning of the Committee's consideration of the item entitled 'Personnel questions', in order to introduce the paper referred to under subparagraph (a) of the present resolution;

"(c) Enabling the Federation of International Civil Servants Associations (FICSA) to circulate a paper to the Committee through the Secretary-General, setting out staff views on matters affecting them under the item entitled 'Report of the International Civil Service Commission';

"(d) Enabling a single recognized representative of FICSA to make a statement to the Committee at the beginning of the Committee's consideration of the item entitled 'Report of the International Civil Service Commission', in order to introduce the paper referred to under subparagraph (c) of the present resolution."

14. At the same meeting, the representative of Trinidad and Tobago, on behalf of Australia, Barbados, Chad, Chile, Egypt, Kenya, the Libyan Arab Jamahiriya, Morocco, Pakistan, Sierra Leone, Trinidad and Tobago, Tunisia and the United States of America, submitted a draft resolution (A/C.5/34/L.37), which read as follows:

"The General Assembly,

"1. Takes note of the requests by members of the staff set out in documents A/C.5/34/CRP.5 and A/C.5/34/CRP.6;

"2. Further takes note of the comments and suggestions of the Secretary-General on the requests by the staff set out in document A/C.5/34/29;

"3. Reaffirms the responsibility and authority of the Secretary-General as the Chief Administrative Officer of the United Nations Organization under Article 97 of the Charter of the United Nations;

"4. Expresses its readiness to receive and consider fully the views of the staff as set out by a single recognized representative of the staff of the United Nations Secretariat in a document submitted through the Secretary-General under the agenda item entitled 'Personnel questions';

"5. Expresses its readiness to receive and consider fully the views of the staff as set out by a designated representative of the Federation of International Civil Servants Association (FICSA) in a document submitted through the Secretary-General under the agenda item entitled 'Report of the International Civil Service Commission';

"6. Requests the Secretary-General to present to the General Assembly at its thirty-fifth session a report on the various forms of participation of staff in the consultative bodies of the United Nations Secretariat and within the United Nations system which deal with matters of direct concern to personnel and on the extent to which these bodies have fulfilled the purpose of better staff involvement; in preparing this report due account should be taken of the views of the United Nations staff on the subject;

"7. Expresses further its disposition to consider, as and when appropriate, other forms of communication between the staff and the Fifth Committee."

15. At the same meeting, a motion by the representative of Panama to give priority in the vote to draft resolution A/C.5/34/L.37 was adopted by a recorded vote of 51 to 19, with 17 abstentions. The voting was as follows:

In favour: Afghanistan, Australia, Austria, Bahamas, Bahrain, Barbados, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Ecuador, Egypt, Ethiopia, Gabon, German Democratic Republic, Ghana, Hungary, Iraq, Kenya, Lesotho, Libyan Arab Jamahiriya, Mexico, Mongolia, Mozambique, Niger, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Poland, Romania, Rwanda, Sierra Leone, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, United States of America, Yugoslavia, Zambia.

Against: Canada, Denmark, Finland, France, Germany, Federal Republic of, Greece, Guinea, India, Ireland, Israel, Italy, Netherlands, New Zealand, Portugal, Senegal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, Venezuela.

Abstaining: Algeria, Belgium, Bolivia, Burundi, Cape Verde, China, Guyana, Indonesia, Japan, Jordan, Mauritania, Philippines, Thailand, United Republic of Cameroon, Upper Volta, Uruguay, Zaire.

16. At the same meeting, the Committee adopted draft resolution A/C.5/34/L.37 by 68 votes to 11, with 11 abstentions (see para. 19, draft resolution II). After the adoption of the draft resolution, draft resolution A/C.5/34/L.36 was withdrawn.

17. Statements in explanation of vote were made by the representatives of Australia, Brazil, Canada, Germany, Federal Republic of, India, Indonesia, Ireland, Italy, Morocco, New Zealand, Nigeria, Peru, the Philippines, Portugal, Senegal, Spain, the Syrian Arab Republic, Tunisia, the Union of Soviet Socialist Republics and the Upper Volta.

18. At the 84th meeting, on 17 December, the Committee, on the proposal of the Chairman, decided, without objection, to recommend to the General Assembly that it should take note of the report of the Secretary-General on the implementation of the classification systems for posts in the Professional and General Service categories (A/C.5/34/37) and of the oral report of the Chairman of the Advisory Committee on Administrative and Budgetary Questions, and requested the Secretary-General to report on progress in the implementation of these systems at its thirty-fifth session (see para. 19, draft resolution I, sect. IV).

III. RECOMMENDATIONS OF THE FIFTH COMMITTEE

19. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Personnel questions

The General Assembly,

I

1. Requests the Secretary-General to submit to the General Assembly at its thirty-fifth session:

(a) A detailed report outlining the basis on which the desirable ranges in effect in 1979 (posts subject to equitable geographic distribution) were established, including the factors and criteria, with their related percentage distributions, which determined these desirable ranges;

/...

(b) A series of alternative tables of desirable representation for all Member States on the basis of a redistribution of the percentages used at present for the criteria of contribution and membership so as to reflect a membership percentage of 50 per cent or a membership percentage equal to that of contribution while maintaining the existing percentage in respect of the population factor. These alternative tables, which shall take into account the new scale of assessment for 1980-1982, shall include:

- (i) A range of increases in the lower limit of the present minimum desirable range;
- (ii) An increase in the upper limit of the present minimum desirable range;
- (iii) Suggested formulae for the removal or relaxation of the upper limits of the desirable ranges of developing Member States;
- (iv) Formulae for relating the population criterion directly to regional populations, with suggestions for its utilization by individual Member States;

(c) An outline of any possible additional criteria which, in the Secretary-General's considered view, might also be utilized in determining a system of desirable ranges or representation with suggestions for their inclusion under (b) (i), (ii), (iii) and (iv) above;

(d) A study of the implications of the establishment of a ceiling on the percentage contribution for calculating the personnel entitlement of any Member State;

(e) A detailed description of the way the present weighted desirable ranges have been calculated, with information as to the basis of this calculation, as well as a study dealing with an indicative evaluation of posts so as to ensure that Member States will have a balanced quantitative and qualitative representation;

2. Also requests the Secretary-General to present the reports and submissions outlined above for the consideration of Member States at least six weeks before the opening of its next regular session;

II

Takes note of the report of the Secretary-General on amendments made to the Staff Rules during the period from 1 July 1978 to 30 June 1979; 1/

1/ A/C.5/34/7.

III

Requests the Secretary-General to pursue the improvement of the computerized roster of candidates in accordance with section I, paragraph 1 (c) of General Assembly resolution 33/143, of 20 December 1978;

IV

Takes note of the report of the Secretary-General on the implementation of the classification systems for posts in the Professional and General Service categories 2/ and the oral report of the Chairman of the Advisory Committee on Administrative and Budgetary Questions, 3/ and requests the Secretary-General to report on progress in the implementation of these systems to the General Assembly at its thirty-fifth session.

DRAFT RESOLUTION II

Participation of United Nations staff in the consultative
bodies within the United Nations system

The General Assembly,

1. Takes note of the requests by members of the staff set out in the notes by the Secretary-General on access by staff representatives to the Fifth Committee;
2. Further takes note of the comments and suggestions of the Secretary-General on the requests by the staff as set out in his note of 21 November; 4/
3. Reaffirms the responsibility and authority of the Secretary-General as the Chief Administrative Officer of the United Nations under Article 97 of the Charter of the United Nations;
4. Expresses its readiness to receive and consider fully the views of the staff as set out by a single recognized representative of the staff of the United Nations Secretariat in a document to be submitted through the Secretary-General and issued under the item entitled "Personnel questions";
5. Expresses its readiness to receive and consider fully the views of the staff as set out by a designated representative of the Federation of International Civil Servants Association in a document to be submitted through the Secretary-General and issued under the item entitled "Report of the International Civil Service Commission";

2/ A/C.5/34/37.

3/ See A/C.5/34/SR.84.

4/ A/C.5/34/29.

6. Requests the Secretary-General to submit to the General Assembly at its thirty-fifth session a report on the various forms of participation of staff in the consultative bodies of the United Nations Secretariat and within the United Nations system which deal with matters of direct concern to personnel and on the extent to which these bodies have fulfilled the purpose of better staff involvement; in preparing the report, due account should be taken of the views of the United Nations staff on the subject;

7. Expresses further its disposition to consider, as and when appropriate, other forms of communication between the staff and the Fifth Committee.