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Agenda item 148

United Nations common system

Report of the Fifth Committee

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I. Introduction

1. The previous recommendation made by the Fifth Committee to the General Assembly under agenda item 148 is set out in the report of the Committee contained in document [A/75/670](#).
2. During the first part of the resumed seventy-fifth session, the Fifth Committee met formally and remotely owing to the coronavirus disease (COVID-19) pandemic, during which it resumed its consideration of the item. The Committee formally resumed its consideration of the item in person at its 11th meeting, on 26 March 2021. Statements and observations made in the course of the Committee's formal consideration of the item are reflected in the relevant summary records.¹
3. For its further consideration of the item, the Committee had before it the following documents:
 - (a) Report of the Secretary-General on the initial review of the jurisdictional set-up of the United Nations common system ([A/75/690](#));
 - (b) Related report of the Advisory Committee on Administrative and Budgetary Questions ([A/75/797](#)).

II. Consideration of draft resolution [A/C.5/75/L.26](#)

4. At its 11th meeting, on 26 March, the Committee had before it a draft resolution entitled "United Nations common system" ([A/C.5/75/L.26](#)), submitted by the Chair of the Committee on the basis of informal consultations coordinated by the representative of Ghana.

¹ [A/C.5/75/SR.11](#).



5. At the same meeting, the Chair drew the attention of the Committee to the oral statement that had been provided by the Secretariat to inform the Committee of the budgetary implications that the adoption of the draft resolution would entail.
6. Also at the same meeting, the Committee adopted draft resolution [A/C.5/75/L.26](#) without a vote (see para. 7).

III. Recommendation of the Fifth Committee

7. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations common system

The General Assembly,

Recalling its resolutions [74/255](#) B of 27 December 2019 and [75/245](#) of 31 December 2020,

Having considered the report of the Secretary-General on the initial review of the jurisdictional set-up of the United Nations common system¹ and the related report of the Advisory Committee on Administrative and Budgetary Questions,²

Reaffirming its commitment to a single, unified United Nations common system as the cornerstone for the regulation and coordination of the conditions of service of the United Nations common system,

Emphasizing the importance of, and benefits derived from, maintaining a coherent and unified United Nations common system,

Reiterating its call for all organizations of the United Nations common system to cooperate with the International Civil Service Commission on matters relating to salaries, allowances and conditions of service,

Expressing its concern over the continued inconsistencies in the application of the 2016 post adjustment results across duty stations of the United Nations common system,

Emphasizing the importance of the principle of judicial independence,

1. *Takes note* of the report of the Secretary-General;
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;
3. *Acknowledges* the efforts undertaken by the Secretary-General in engaging with multiple stakeholders in the preparation of his report, and encourages continued outreach and consultations with all the relevant stakeholders;
4. *Reiterates its request* that the executive heads of organizations of the common system consult with the International Civil Service Commission in any cases involving recommendations and decisions of the Commission that may come before the tribunals in the United Nations system, and once again urges the governing bodies of the organizations to ensure that the executive heads comply with that request;
5. *Requests* the Secretary-General to provide in the context of his next report detailed updated information on the divergence in the jurisprudence of the two tribunals on matters relating to the International Civil Service Commission and an assessment of its impact on the cohesion of the United Nations common system;
6. *Recalls* paragraph 24 of the report of the Advisory Committee, and encourages increased exchanges and sustained communication between the tribunals of the United Nations common system;

¹ [A/75/690](#).

² [A/75/797](#).

7. *Stresses* that upholding the consistency of the United Nations common system is a matter of principle, irrespective of the actual frequency of challenges to its cohesion;

8. *Requests* the Secretary-General to submit a further report with detailed proposals and thorough analysis on practical options, giving priority to measures involving changes to the adjudication of cases involving International Civil Service Commission matters, as set out under option D, and measures under option B, limited to the review of tribunal judgments and issuance of guidance by the Commission, as well as increased exchanges between the tribunals, as set out in section IV of the report of the Secretary-General, and to present it for the consideration of the General Assembly no later than the seventy-seventh session;

9. *Also requests* the Secretary-General, when providing further analysis of option D in section IV of the report, to take into consideration ways of leveraging existing frameworks, infrastructure and judges of the tribunals to operationalize the joint chamber only when required, thereby minimizing costs associated with this option, and to identify measures that organizations may need to take in order to recognize or be subject to the jurisdiction of the joint chamber;

10. *Further requests* the Secretary-General to provide, during the main part of its seventy-sixth session, an informal briefing on the status of progress in the preparation of the report on the jurisdictional set-up of the United Nations common system.
