

RECORD OF DECISIONS OF THE EIGHTEENTH SESSION
OF THE COUNCIL OF THE FEDERATION OF ASSOCIATIONS
OF FORMER INTERNATIONAL CIVIL SERVANTS (FAFICS)

Rome, 19-20 February 1990

1. The Eighteenth Session of the Council of FAFICS was held on Monday and Tuesday, 19-20 February 1990, at the F.A.O., Rome.

PARTICIPATION

2. The following Member Associations of AFICS were represented:

AAFI/AFICS, Geneva	Mr. R. Munteanu
AFICS, New York	Mrs. P.K. Tsien
BAFUNCS, London	Mr. D. Miller
CAF/UNESCO, Paris	Mr. W. Zyss
FFOA, Rome	Mrs. C. Bianchini
	Mr. C. Buonaccorsi
	Mr. J.M. Taylor
NAFICS, Copenhagen	Miss I. Poulsen

3. Mr. Aamir Ali (Chairman of the Council of FAFICS) and Miss A. Butler (Executive Secretary of FAFICS) were present in their official capacity.

4. Mr. Aamir Ali took the Chair.

ADOPTION OF THE AGENDA
(Agenda Item 1)

5. The agenda was adopted subject to the addition of new sub-items under items 7 and 9. The revised agenda, as adopted, is appended (cf. Appendix I).

REPORT OF THE CHAIRMAN
(Agenda Item 2)

6. The Chairman reported that full reports on the 38th Session of the UNJSPB (12-21 July 1989) and on the August 1989 session of the ICSC had been circulated to all Member Associations. He had also issued two circular letters and a note containing extracts from the Bulletins of Member Associations. He was grateful for the response and would like to know whether these should be continued.

7. He had made it a point to meet as many representatives and members of associations as he could. Thus, he had accepted an invitation to attend the annual meeting of NAFICS in Copenhagen last November and was grateful for the opportunity of addressing the meeting and of talking to a large number of individual members. He had addressed the Committee of AAFI/AFICS in Geneva and had naturally had many opportunities of talking to its members. He had appreciated the letters he had received from the President of AFICS, New York, and from members of the Executive Committee of BAFUNCS. He had accepted an invitation from the British Association to attend their annual assembly in May 1990 in Bournemouth.

8. From all these discussions, it seemed clear that FAFICS was ready to take on a more active role in two directions: (1) as an institution; and (2) in its programme of activities. There were now 29,000 pensioners and FAFICS had the responsibility of representing them all. Last year there had been a net increase of 1,440 pensioners and this rate of increase was likely to continue for a few years at least. There were 11 associations affiliated to FAFICS with a total membership of about 9,000.

9. As an institution, what additional services should FAFICS offer its members?. How could it strengthen links amongst them? Should it encourage the formation of national and local associations? How? He noted that there were incipient associations in several countries.

10. The second issue was that of its programme of activities. FAFICS had not used its consultative status as an NGO with the ECOSOC to any great extent. Some two years ago, it had been decided to make a statement in the Commission on Human Rights on the arrest and detention of UN system officials but in the event this had not been possible.

11. This year, before the meeting of the Commission the Chairman held extensive consultations, circulated a written statement to the Commission and also made an oral statement to it at its 46th Session on the question of the detention, disappearance and death of UN system officials. He suggested that the Council, at its next session, should explore more thoroughly what additional activities the Federation might undertake.

12. The financial situation of FAFICS was reasonable. It had US\$ 2,368 and Sw.Frs. 11,757 in its account. All except one association had paid their dues for 1989; three had paid for 1990.

13. The Chairman thanked Angela Butler for her outstanding work as Executive Secretary and for the constant help and support she had provided.

PENSION QUESTIONS
(Item 3(a) to 3(d))

Item 3(a): Special Session of the UNJSPB

14. It was generally agreed that after the extensive discussions with the Secretary of the Pension Fund the previous day there was no need to enter into a further discussion on this item. The pensionable remuneration issue was not of direct interest to retired staff; the main item of interest to the Council was the review of the pension adjustment system, with particular reference to the problem of inequalities in benefits paid depending on the date of separation.

15. It was agreed that inviting the Secretary of the Pension Fund to meet with the Council prior to the opening sitting of the Board, which had first been initiated during the Seventeenth Session of the Council (New York, 1989), had proved highly successful and should become accepted practice of future sessions of the Council.

Item 3(b): Financial obligations to divorced spouses
(document D.3)

16. AAFI/AFICS introducing the paper, pointed out that their paper (D.3) had been prepared as a possible proposal and was limited to only one type of case. A number of comments and suggestions were made:

- The original paper (July 1989) had a major drawback in that the proposed solution was tied to the evidence of a court order or binding settlement for alimony payments, a practice not current in all countries;
- additional costs to the Fund were involved; this could be obviated by a pro-rata system;
- objective, not arbitrary, criteria needed to be found;
- the principle of non-discrimination between the sexes rendered the issue even more complex;
- the number and complexity of divorce cases were on the increase;
- the negative attitudes in the Board arose from the facts that it was a difficult issue and that it was primarily a social not a pension issue; moreover no one had any idea of the magnitude of the problem;
- it was usually a problem deriving not just from divorce but from abandonment of the wife;
- perhaps the original authors could devise an amendment to the Pension Regulations enabling a pensioner to designate the "widow's benefit" to a divorced wife;

- another aspect concerned the problem of marriage after retirement.

17. It was agreed that the question needed further study; that the authors of the original paper (CAF/UNESCO) and the present supplementary paper (AAFI/AFICS) might get together before the next session of the Council to find alternative solutions for submission to the Board at a future session, possibly in June 1990.

Item 3(c): Delays in payment

18. The Chairman explained that this item concerned delays which had occurred, principally in relation to field staff, when the administrations delayed transmitting the files of retirees to the Pension Fund Secretariat until all administrative details connected with separation had been completed. This often led to lengthy delays during which the retiree received neither salary nor pension. A number of complaints had been received, particularly by AAFI/AFICS, Geneva, and mainly concerning UNDP and UNICEF staff. It might be advisable to hold up separation pay pending finalisation of administrative details but to withhold the pension was unethical. It was agreed that AFICS New York might investigate this problem further. It was recalled that there were two judgements of the UN Administrative Tribunal on this subject.

Item 3(d): Inequalities in benefits paid (documents D.4 and D.5)

19. The Council considered the papers prepared by CAF/UNESCO (D.4) and AAFI/AFICS, Geneva (D.5) on inequalities in benefits paid. There was a moral obligation towards existing pensioners who felt they had cause for grievance, but it was a dangerous issue to take up and could have unfortunate repercussions. It was not a new issue; it had been raised with the Secretary two years ago, who had been doubtful then as to the advisability of bringing the matter before the Board but the latter had agreed to have a paper prepared with proposals for possible action. Document R.4 before the present session of the Board was the promised paper.

20. It was agreed that the matter should not be allowed to drop. The question was now one of tactics, i.e. when and how it should be taken up. In any event, the proposed supplementary pension solution required further study and it would be advisable to delay action until after the ICSC comprehensive review had been completed. It was further agreed that doc. D.4 should be communicated unofficially to the Secretary of the Fund, not as a FAFICS paper but as one coming from CAF/UNESCO.

21. It was agreed that it would be preferable to take the matter up at the June 1990 Session of the Board, always admitting that the Council's representatives could make a statement during the present session of the Board should that appear advisable.

REPRESENTATION OF FAFICS AT UNJSPB
(Item 4(a) to (c))

Item 4(a): Standing Committee, Rome, 20 February 1990

22. The Council appointed the following members to represent it:

<u>Representative:</u>	Mr. Aamir Ali (Chairman, FAFICS)
<u>Alternate:</u>	Mrs. P.K. Tsien (AFICS, New York)

Item 4(b): UNJSPB 39th (Special) Session, 21-23 Feb. 1990

23. The Council appointed the following members to represent it:

<u>Representatives:</u>	Mr. Aamir Ali (Chairman, FAFICS)
	Mrs. P.K. Tsien (AFICS, New York)
<u>Alternates:</u>	Mrs. C. Bianchini (FFOA, Rome)
	Mr. W. Zyss (CAF/UNESCO, Paris)

Item 4(c): UNJSPB 40th Session, London, June 1990

24. The Council provisionally appointed the following members to represent it:

Mr. Aamir Ali	(Chairman, FAFICS)
Mr. S. Grabe	(AAFI/AFICS, Geneva)
Mrs. P.K. Tsien	(AFICS, New York)
Mr. A. Chakour or	
Mr. W. Zyss	(CAF/UNESCO, Paris)

No decision was taken as to which members would be titular representatives and which alternates.

25. The representative of CAF/UNESCO regretted that FAFICS representation was limited to only 4 persons (2 representatives plus 2 alternates). He suggested that contacts might be made, at some appropriate time, with the Secretary of the Board with a view to exploring the possibility of modifying this rule. The Chairman pointed out that there could be no question of re-opening the debate on this issue. FAFICS had already received more favourable treatment than anticipated as regards representation. Within the Council a certain disciplined rotation might be organised among members, but in any case the appointed representatives became FAFICS representatives and no longer represented their own association.

26. It was understood that within the Council, there was no limitation to the participation of the members representing a given Member Association.

LEGAL STATUS OF ASSOCIATIONS
(Item 5)

27. FFOA, which had requested the inclusion of this item on the

agenda, did not have any recognized legal status and wanted to know the situation of the other associations. In an exchange of information it emerged that the situation varied greatly, depending largely on the legal practices of the country concerned. Any attempts to standardise practices were unlikely to succeed..

HEALTH INSURANCE QUESTIONS

(Item 6)

28. It was agreed that consideration of this item, which had been placed on the agenda at the request of AFICS New York, could be held over till the next session of the Council.

29. In the course of a preliminary discussion on the subject, all members pointed out that comparative studies on health insurance schemes were very complex and that the data assembled tended to be out of date even before they were released. FFOA asked for "contact points" in the Associations who could be consulted on particular issues, such as representation of pensioners on the Organisations' advisory health insurance committees, and the availability of financial assistance (e.g. advances for pensioners). CAF/UNESCO referred to the FICSA papers that had been distributed at the 43rd Session of the FICSA Council (Montreal, 5-10 Feb. 1990):

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|----------------------|---|--|
| FICSA/C/43/14 | - | Study on Measures to improve the medical insurance schemes for retired international civil servants. |
| FICSA/C/43/14/Add. 1 | - | Social Security of former international officials: problems of an ageing population. |

which contained interesting data.

30. It was agreed that such informal exchanges of information, even though inconclusive, served a useful purpose and could be brought up at each Council session under Any Other Business.

30 bis. The representative of CAF/UNESCO referred to the practice of the UNESCO Medical Benefits Fund requiring participants who are above 60 to pay an additional contribution. He thought that this constituted discrimination based on age which may exist in some commercial insurance schemes but is totally unacceptable in a medical benefits scheme based on social security principles. The Council expressed its firm opposition to any rule applying discrimination based on age and, its support for the efforts of CAF/UNESCO, to obtain the elimination of this provision.

PROGRAMME OF ACTIVITIES

(Items 7(a) to (d))

Item 7(a): Relations with Member Associations

31. It was generally agreed that communication between FAFICS and Member Associations, and among the Associations themselves, was the most important function of the Federation for its members. Direct contacts among individuals and participation in Sessions of the Council and in annual or other meetings of Member Associations were the means by which the 29,000 UN pensioners (some 9,000 of whom were affiliated through FAFICS) could strengthen their links and become a force to further the objectives of the Federation.

32. The following measures should be taken urgently:

- issue of the proposed FAFICS pamphlet (i.e. urgent implementation of the decision taken at the 7th Session of the Council);
- acceptance of Mr. Gieri's offer in 1989 to send the pamphlet to all UN pensioners;
- circulation of locally issued bulletins to all Member Associations and to FAFICS;
- distribution by FAFICS of at least one communication to Member Associations per year;
- inclusion of a FAFICS section in locally issued bulletins.

33. It was also agreed that (a) this item should be placed on the agenda of the 19th Session of the Council for further discussion, and (b) a special invitation should be issued to Mr. Henry Seligman, Chairman of the Group of retired IAEA and UNIDO staff in Vienna (who is already acting as FAFICS' NGO representative in Vienna) to attend the next session of the Council.

Item 7(b): Human rights: security and independence of UN system officials

34. The Council took note of and approved the Chairman's action in distributing a FAFICS statement to, and making an oral presentation before, the Commission on Human Rights. The principle had already been agreed at the 16th Session of the Council. At the time it had been agreed that any such statement should be phrased in general terms, without mention of specific countries or individual persons. It was agreed that the item should be placed on the agenda of the next session of the Council (June 1990) with a view to having a full discussion which should include consideration of the degree of flexibility desirable in the Council's position and also what other areas might be subject to such action.

7(c): Special Session of the Council

35. The Chairman explained what he had in mind in placing this item on the agenda. He was concerned that for a number of Member Associations participation in sessions of the Council, at least on a regular basis, was virtually impossible. Distances were too great and, for the smaller associations, the cost too high. However, plans could be made well in advance for holding a special session of the Council, say in 1992, designed specifically to give an opportunity to all Member Associations to take part. With such advance planning the Special Session need not be held in conjunction with, and subject to the constraints of, a session of the UNJSPB but could be held in a locality which would bring encourage maximum participation. It might be a good idea to select a special theme for such a session, asking Member Associations to discuss it among themselves ahead of time, perhaps with a view to developing a FAFICS position on the subject.

Item 7(d): FICSA publications

36. FFOA/Rome, informed the Council of plans being developed by FICSA to publish a new bulletin, that would be financed by advertising and distributed widely to all serving and retired officials in the UN system. It might be useful to take advantage of the publication to publish material on FAFICS. It was agreed that it was premature to take a decision on this proposal, particularly as FAFICS had not yet taken any decision as to the type of relationship which it should pursue with FICSA.

DATE AND PLACE OF NEXT SESSION OF THE COUNCIL

(Item 8)

37. It was agreed that the 19th Session of the Council should take place in London on 14, 15 and 18 June 1990, immediately prior to the 40th Session of the UNJSPB.

ANY OTHER BUSINESS

(Items 9(a) to (c))

Item 9(a): Staff Compensation

38. CAF/UNESCO referred to the practice in UNESCO of calculating "service-incurred disability benefit" in dollars but not enabling subsequent adjustments to be calculated according to the double track system, and asked whether this was the practice in other Organisations too. This was confirmed to be the case.

Item 9(b): ILO Administrative Tribunal Case

39. CAF/UNESCO referred to ILO Tribunal Judgement No. 986 (re S. Ayoub) concerning changes in pensionable remuneration applied by the ILO. The decision, which had gone against the ILO, applied only to the ILO which had special provisions on pensionable remuneration in its Staff Regulations. Should FAFICS follow this up and try to have it applied throughout the UN system? It was agreed that it was too early

yet to know exactly what effect the decision would have and that, in any case, as the matter concerned conditions of service of serving staff it should be taken up by FICSA, not FAFICS.

Item 9(c): Problems of Ageing

40. AFICS/New York raised the problem of the increasing financial burden of long-term care (nursing home and at-home care) on many retired staff members, and asked whether FAFICS could ask WHO to carry out a feasibility study for offering special health insurance for such contingencies. It was pointed out that ILO rather than WHO was more closely concerned with such social security measures, and that any such "system wide" scheme would take a long time to get off the ground. AAFI/AFICS, Geneva, informed the Council of a survey being planned among pensioners and staff in the Geneva area to ascertain the interest in such measures. FFOA/Rome informed that it was compiling a roster of "homes" providing such care. It was agreed that the Council should wait till these data were available before taking any action on the proposal, though advantage might be taken of the presence in Rome of Mrs. Renate Wiedner (Chief, Insurance and Pensions, WHO) to sound her out unofficially on the scheme.

41. FFOA/Rome informed the Council that some 15 years ago it had been decided to find a place for retired U.N. staff to spend vacations or make it "a home". The Italian Government agreed to explore this possibility and a place was found south of Naples. Conversations were initiated but had to be discontinued when no solution was found to the financing of the plan. Should this study be resumed?

The Councils' thanks

42. The Council expressed its gratitude to FAO and in particular to the Secretary of the FAO Staff Pension Committee for the room and the excellent facilities provided for the meeting.

43. It expressed its sincere appreciation and thanks to FFOA and in particular its President for all the arrangements, their help and warm hospitality.

44. The Council also recorded its thanks to the Executive Secretary who had continued to provide the outstanding services to which the Council had now become accustomed.