



STATEMENT DELIVERED ON BEHALF OF THE GROUP OF 77 AND CHINA BY MR. XOLISA MABHONGO, DEPUTY PERMANENT REPRESENTATIVE OF SOUTH AFRICA TO THE UNITED NATIONS, AT THE MEETING OF THE INFORMAL WORKING GROUP OF THE PLENARY ON MANAGEMENT REFORM: REVIEW OF STAFF AND FINANCIAL REGULATIONS AND RULES (New York, 30 January 2006)

Mr. Co-Chair,

I have the honour to speak on behalf of the Group of 77 and China on the question of the review of the staff and financial regulations and rules of the Organisation. The Group of 77 and China wishes to thank the Co-Chairs for the opportunity to interact with the Secretariat on this question. We strongly support your efforts to ensure that there is an ongoing dialogue between the Secretariat and Member States on the reform issues. It is only through dialogue that we will be able to ensure that the objectives of the reform efforts are clearly defined by the collective Membership of the Organisation and understood by the Secretariat. It became clear that due to the complex nature of the issues at hand and arising from the previous interactions in 2005 with the Secretariat on this matter, that there was a need to reflect further on the purpose and scope and intended outcome of the review.

We also wish to register our appreciation at your efforts in keeping us informed of the status of the preparations by the Secretariat for today's briefing, as outlined in your letter dated 27 January 2006. The Group of 77 and China trust that we will be able to receive future progress reports in advance to the meetings of the Informal Working Group of the Plenary so as to enrich our interaction with the Secretariat and other Member States.

The Group of 77 and China also wishes to thank the Deputy-Secretary-General for providing the Meeting with a status report of the activities underway in the Secretariat in response to paragraph 163 (a) of the World Summit Outcome Document. The Group will carefully reflect on the points raised this morning by the Deputy-Secretary-General and other delegations before conveying our response in a future meeting of the Informal Working Group. We will for now limit our preliminary comments to a few broad issues regarding the review exercise and the negotiation process.

Process for consideration of proposals

Mr. Co-Chair,

Let me begin by turning to the process for consideration of the proposals. It will be recalled that in December 2005, the Informal Working Group of the Plenary grappled with some procedural matters regarding the consideration of the "Group A" issues. The Working Group finally resolved the matter and affirmed the normal procedure whereby the relevant Main Committee of the General Assembly was mandated to deal with the substantive proposals on Secretariat and Management reform. In order to facilitate our consideration of the reform proposals, the Co-Chairs proposed guiding principles whereby *inter alia* the respective roles and mandates of the Fifth Committee and the ACABQ will be fully respected in the consideration of the proposals. We expect that this principle will be fully respected so as to avoid unnecessary delays in our consideration of the proposals and lengthy debates on procedure.

The Group finds the interaction with the Secretariat through the Informal Working Group of the Plenary very useful. However, the G77 reiterates that once the reports have been issued, the debate and formal consideration of the proposals of the Secretary-General will understandably be moved to the Fifth Committee. We trust that the Co-Chairs will continue to consult closely with the Bureau of the Fifth Committee in order to facilitate the consideration of the proposals.

The Group of 77 and China also expects that the Secretariat in 2006 will abide by the rules of procedure and practices of the General Assembly and ensure that the proposals on the review of the staff and financial regulations and rules are submitted well in advance to the ACABQ before formally introducing the reports to the Fifth Committee. Again in our view, this will avoid unnecessary delays and facilitate the proper consideration by Member States.

The Group, furthermore, trusts that the Bureau of the Fifth Committee will schedule sufficient time for the consideration of the reform proposals by the Committee. It will also be useful if the Co-Chairs and the Bureau of the Fifth Committee could ensure that there are no overlap between the meetings of the Informal Working Group on mandate review and those of the Fifth Committee on the remaining Group B proposals. This will enable the full

participation of all delegations in the negotiations.

Review of staff and financial regulations and rules

Mr. Co-Chair,

With regard to the implementation of paragraph 163 (a) of the World Summit Outcome Document, the Group of 77 and China wishes to make the following preliminary remarks at this stage:

Firstly, it is important to recognise that the revision of staff and financial regulations and rules is not a new undertaking. The General Assembly, through the Fifth Committee, in recent years has made several amendments to the regulations and rules to ensure that they respond to the evolving needs of the Organisation. We view the implementation of paragraph 163 (a) as part of this ongoing process.

Secondly, the World Summit Outcome Document indicated that the purpose of the review is to ensure that the Organisation is able to efficiently and effectively conduct its work. The Group of 77 and China believes that the review should be mindful of the unique nature of the work of the United Nations. The United Nations is by nature an inter-governmental body and therefore different from a private corporation. The reform of the UN is not intended to change the inter-governmental nature but to strengthen its ability to perform its activities more effectively and implement its mandates fully. It is also intended to strengthen the oversight and monitoring role of the entire Membership. Member States have broadly agreed to the principles outlined by the Co-Chairs, which will guide our consideration of the Secretariat and Management Reform proposals in 2006.

Thirdly, the staff and financial regulations and rules respond to the policies agreed to by the General Assembly and set out in its resolutions. In this regard, the General Assembly has set out a negotiated framework for the implementation of the reform of the human resources management system, the procurement system, and the budgetary and planning processes. We realise that reform is an ongoing process and that the Secretariat may take longer to implement certain reforms than others. It was for this reason that the General Assembly has agreed to revisit the progress of the human resources management reforms during the 61st session. It is also why the General Assembly has agreed to embark on the budget and planning process experiment, which it will take a final decision on during the 62nd session once the process has gone through two full cycles. The World Summit Outcome Document has recognised that there are many reform processes underway that should be respected. The Group expects that the review will take fully into account the processes underway and that the Secretariat will continue to implement the reform measures agreed to by Member States. The role of the Secretariat is to assist Member States and not to make proposals on reform processes that have been agreed to by consensus by Member States.

Fourthly, the Group of 77 and China believes that every effort should be made to abide by the existing regulations and rules, as well as by the resolutions of the General Assembly. The lack of implementation, in our view, is not a sufficient reason for seeking changes. In this context, we deem it necessary that the reports of the Secretariat should include a clear description of the "lessons learned" from the application of the current regulations and rules. This will enable Member States to undertake a technical analysis of the reasons for the identified "deficiencies". For example, whether or not the "weaknesses" are due to the regulations and rules or caused by practices resulting from the implementation of the regulations and rules.

The Group wishes to register its concern with the recent trend of the Secretariat using press briefings to inform Member States about matters pertaining to the Organization, its policies and work, including allegations of mismanagement, fraud and corruption. This has encouraged a proliferation of anonymous press leaks that undermine the oversight role of Member States and by extension the General Assembly, and are also counter-productive to our efforts to ensure trust and an open channel of communication between Member States and the Secretariat. We would hope that all Member States including our negotiating partners will join us in appealing to the Secretary-General to help us control this unhelpful trend. The existing regulations and rules of the Organisation have established a framework for proper conduct and should ensure greater accountability by its entire staff, regardless of their seniority or country of origin. It is within this framework that we expect the Secretariat to first submit reports requested by the General Assembly to it before any of its officials begin quoting aspects of it in media briefings. The regulations and rules, as well as General Assembly resolutions, also provide a framework for the use of consultancies, including the proper allocation of resources for that purpose, and we expect the Secretariat to adhere to this framework. The oversight role of the General Assembly should not be replaced by the commissioning of investigations, reviews and studies, in particular where neither the study nor the associated resources have been mandated by the General Assembly.

We further wish to unequivocally state that accountability within the United Nations should not be applied in a

selective manner and all staff, especially at senior management levels, should be held accountable for any mismanagement that arises. It will be recalled that the Group has raised the above-mentioned concerns in October and December 2005 and we were assured that corrective measures were being taken. It is regrettable that Member States are being placed in a position where we once again have to raise these matters.

Mr. Co-Chairs,

Lastly, the Group of 77 and China expects that the Secretariat will provide it with detailed, specific and well-thought-out proposals on the issues before us. Member States will have to receive technically sound arguments and not mere broad and “strategic” expressions of intent on all matters related to the review. The proposals should elaborate on how the proposed amendments, if any, will be applied in practice. This will enable Member States to consider the proposals based on their technical merits and avoid unnecessary delays in the negotiations. The regulations and rules should correlate with General Assembly resolutions and the exercise is not intended to alter or negate agreements reached by Member States during previous negotiations.

The Group of 77 and China looks forward to further consultations with the Secretariat on the review process in an inclusive and transparent manner. It is only through a thorough exchange of views that we will ensure that the Secretariat has received clear guidance regarding the expectations of the collective Membership. We believe that a clearly defined exercise that is conducted in a neutral manner will facilitate the decision-making of Member States. We support efforts to improve the performance and conduct of the Secretariat, ensure proper financial management and use of resources, ensure the full implementation of General Assembly resolutions, and strengthen the oversight role of the General Assembly. We look forward to receiving additional information from the Deputy-Secretary-General on the wide range of issues before us, as soon as possible, in order to provide the Secretariat with the necessary guidance. From today’s briefing by the Deputy-Secretary-General it, in our view, is clear that another meeting of this Informal Working Group is necessary.

I thank you.