



STATEMENT BY MR. NIRUPAM SEN, PERMANENT
REPRESENTATIVE, ON MANAGEMENT AND SECRETARIAT
REFORM AT THE INFORMAL CONSULTATIONS OF THE
PLENARY ON FEBRUARY 07, 2006

Mr. Co-Chair,

We appreciate this opportunity to exchange views on the subject of management reform. We would like to thank the Deputy Secretary General for her elaboration of the outline paper on management reform that she presented on 30th January.

South Africa, on behalf of the G-77 has made comprehensive statements on process and substance, both today and at our last meeting which we support in their entirety.

Mr. Co-Chair,

We have carefully examined the outline paper and the Deputy Secretary-General's presentation at our last meeting and would like to comment on them by grouping the issues into the following four categories.

In the first category of issues are those that are already under consideration in the General Assembly, through its Fifth Committee and detailed proposals are awaited from the

Secretariat. These are, in any case, to be presented for consideration and decision during 2006, in accordance with the respective General Assembly resolutions. Such questions include mobility of staff, simplification of contractual arrangements, harmonization of rules and benefits for staff across the UN family, and consolidation of peacekeeping accounts. Clearly, the Secretariat cannot now present summary proposals for what has been termed as 'strategic' decisions without presenting the detailed proposals that the General Assembly has already requested.

The second category of issues are those that are being put forward as new Secretariat proposals for management reform which should actually have been implemented by now. Take the case of the adoption of International Public Sector Accounting Standards. The Board of Auditors had called for their adoption five years ago and the Secretariat has been examining their possible adoption since then. Another case in point is that of strengthening the evaluation function. The General Assembly, in its Resolution 58/269 of 23rd December, 2003, recognizing the importance of this function, had called for programme managers to indicate resource requirements for evaluation and self-evaluation in the budget. We wonder why this was not done in the 2006-7 budget that we just approved and instead it is now being presented as a new management reform proposal from the Secretariat.

The third category of issues are those that had been put forward by some delegations either in the initial stage of discussions of the draft Outcome Document or in the Fifth Committee's consideration of the proposed programme budget for 2006-7. Those proposals are now being resurrected and presented as new proposals of the Secretariat. The Secretariat is of-course well aware that those proposals did not find place either in the Outcome Document or in the 2006-7 Budget Resolution because they

were not acceptable to the General Assembly. When repackaging and resubmitting proposals that were introduced by some Member States, the Secretariat would do well to note that the word 'flexibility' does not appear either in the Outcome Document on management reform or in the budget resolution – and not without reason. Here, I would like to reinforce the point made by the Permanent Representative of Jamaica. The Budget Resolution calls for "limited discretion....in budgetary implementation within defined parameters to be agreed by the General Assembly along with clear accountability mechanisms to the Assembly for its use". The Secretariat proposals should be formulated bearing this in mind.

In the fourth category are proposals that seek to arrogate to the Secretariat that which is the prerogative of Member States in the General Assembly. One example is what the outline of the reform report refers to as "measures to improve the budget adoption process". The Budget adoption process is a function of Member States who have not given the Secretariat any mandate to undertake an assessment of that process. We hope that the Secretariat will keep this in mind. Another example is the discretion to be sought for transfer of resources from one program to another that the Deputy Secretary General spoke about. Presently, the Secretariat already has the discretion to do so among sub-programs. However, transfer of resources between programs directly affects the relative priorities of the Organisation. Priority-setting is a Member State function. The Secretariat should not seek to encroach on the prerogatives of Member States who should continue to allocate and re-allocate resources among the various programs in accordance with the relative priority that they attach to each program.

It is worthwhile dwelling a little on the issue of 'flexibility'. The DSG stated that presently the SG has very

little flexibility – limited to the deployment of only 50 posts. The question that needs to be asked is what the Secretariat did with this flexibility that was granted by the General Assembly as far back as 2003. It was only when this provision was coming up for review by the GA that some departments, and especially the regional commissions were asked to surrender posts towards the end of 2005. In most if not all cases, such posts were unfortunately taken from offices and departments dealing with development. Coincidentally or not, five of the biggest departments and offices which are headed by nationals from the five permanent members of the Security Council did not surrender a single post in the one and a half years of the operation of this flexibility. Creation of the post of Chief Operating Officer or redefining the role of the Deputy-Secretary-General would not change this situation at all. Authority must flow directly from the Secretary-General. In short, we have to recognize the problem before we find a solution. And the solution is that Member States should refrain from undercutting the authority of the Secretary-General in defence of their nationals who are heads of departments and offices in the UN; greater oversight by the GA; and more importantly, the primacy of the General Assembly in the selection process of the Secretary-General is critical and would greatly help.

Article 97 of the Charter states unambiguously that the Secretary-General "shall be the chief administrative officer of the Organisation". Any implicit change of that status, or the formal creation of a Chief Operating Officer post or function to carry out that role, if warranted, should require an amendment of the Charter and hence will have to be carefully examined. The post of Deputy Secretary-General was created as part of the reforms proposed by the new SG in 1997 to assist him in carrying out his responsibilities. We can therefore not rush to any decision on this issue without very careful consideration of the much larger issues

involved. In short, the solution should address the problem and not bypass it.

Let us take another example of the type of discretion that is being sought. The DSG has stated that reclassification of posts should not require permission of Member States. In our view posts need to be reclassified both upward and downward based strictly on requirements for the level of that post. Unfortunately, the only reclassification that the Secretariat consistently seeks is upward reclassification leading to grade creep. A post is upgraded over time for the purpose of promoting the incumbent but is not reclassified downward when the individual leaves that post. The General Assembly has, over the years been calling for identification of posts for downward reclassification without success. Surely, the General Assembly cannot now grant unfettered discretion only to permit continued upward reclassification of posts. What the Secretariat should embark on is better career planning and development of promotion policies which are essential elements of any human resources management system.

Incidentally, it is a peculiar coincidence that the attempted arrogation of the functions of the General Assembly by the Secretariat comes at a time when we are witnessing a similar arrogation by the Security Council. Later this month, the Security Council will hold a meeting on the management of the Department of Peacekeeping Operations specifically related to procurement. Presumably, this is with regard to the OIOS audit that was undertaken recently. Procurement and audit, as with other aspects of management, is the prerogative of the General Assembly. As we are all aware, the audit in question is one that was mandated by the General Assembly in Resolution 59/296. In point of fact, the proposal for such a comprehensive management audit of DPKO was introduced jointly by a few developing country delegations including my own and was

subsequently adopted by the General Assembly. Rather than briefing Member States in the General Assembly on the outcome of this audit, we have on the one hand the Under Secretary-General for Management briefing the Press and on the other, we have the Security Council organizing a meeting on the subject. We are all of-course, well aware of the consequences of the Security Council involving itself in management – the Volcker Committee report and its searing criticism of the role played by the Security Council are all too fresh. The General Assembly will have to address this assault on its functions and prerogatives or else give up discussing its revitalization.

On audits and investigations mandated by the General Assembly as also of selectivity in matters of accountability and disciplinary action, some delegations had spoken on the previous occasion. Permit me a couple of sentences on this subject. We all know that an audit report has to be followed up with investigations in order to determine culpability for any wrong-doing and this must surely be pursued vigorously and concluded expeditiously. But what is distressing is to see that in the rush to the press, even the basic principles of natural justice are denied to those accused and they are tried and convicted through the press without being given even an opportunity to see the charges against them let alone being given an opportunity to defend themselves. The Chair of the G-77 has written to the Secretary-General on this issue and we hope that appropriate action will be taken. Lewis Carroll had summarized the problem long ago: "I'm judge and I'm jury/Said cunning old Fury/I'll try the whole case and condemn you to death." It is about time we changed this.

The issue of equitable geographical representation is understandably a concern for developing countries that have a marginal presence in the Secretariat. While we await what has been termed as the 'proactive' approach to recruitment,

any new system that compromises on transparency and which does not address the need to ensure a representative composition of the Secretariat will have no possibility of gaining acceptance. Another principle that the General Assembly has laid down, which is that no Member State shall have a monopoly of any post in the Secretariat also has to be scrupulously followed. Since we are discussing the urgent need for management reform, a case in point is that of the post of Under Secretary-General for the Department of Management - a post which has for years been occupied by incumbents from a single Member State. The General Assembly has to ensure that its resolution 46/232 whereby it decided, that as a general rule no national of a Member State should succeed a national of that State in that post and that there should be no monopoly on senior posts by nationals of any State or group of States, is scrupulously followed.

Mr. Co-Chair,

Some delegations have stated that the review of rules and regulations should be conducted at the political level. The DSG also stated that the proposals would be presented for "strategic" decisions, whatever that means, and the detailed technical decisions could be taken subsequently. Flowing from this is the implication that decisions will be taken in this informal working group based on summary proposals and only the details would be left to the ACABQ and the Fifth Committee to work out subsequently. The Chair of the G-77 has already made it clear that the Secretariat will have to provide detailed, specific and well-thought-out proposals with technically sound arguments and not mere broad and "strategic" expressions of intent on all matters related to this review. It is only through the detailed technical evaluation of the proposals by the ACABQ and the Fifth Committee that the GA can reach any decision on the merits of the proposals that will be presented. We hope that

the Secretariat will keep this in mind and present their report accordingly.

I thank you.

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