

My Delegation is happy to note that the Secretary-General has stated that, and I quote, "the decisions of the Secretary-General would remain subject to review by the Administrative Tribunal to the full extent of its present legal authority"; that the Advisory Committee has reiterated this specific statement, and that the Secretary-General in presenting his report to this Committee saw fit to emphasize again this fact. My Delegation concurs in this view and is satisfied that the new regulations as proposed by the Secretary-General in no way detract from the Administrative Tribunal as a safeguard for the staff.

It is clear that the present regulations are not definite enough and that, whereas in the past, certain acts could not be considered by the Tribunal in the context of the old regulations as justifying dismissal, these same acts might now, under the new regulations, be accepted by the Tribunal as proper reasons for dismissal. We are agreed that the regulations must be spelled out in greater detail to lessen the chances of conflict between the Secretary-General and the Tribunal. This is surely the Secretary-General's intention in seeking the proposed modifications. In paragraph 33 of his report, he states that "the breeding of such conflicts between the administrative and strictly legal approaches should be avoided by a proper amplification of the staff regulations as to the grounds upon which the Secretary-General may terminate employment".

We would be interested to hear more, at an appropriate time, of the Secretary-General's proposals for further arrangements for setting up procedures whereby staff members could put on record before an independent body of equals what they themselves consider to be the facts of the situation, and mention is also made of a special advisory board. While these suggestions appear to have merit, my Delegation cannot help feeling, as did our colleague from Colombia, in his statement the other day, that the Secretary-General may have too many advisory panels and committees, and that the appeals mechanism might profitably be simplified. In saying this, I should like to make clear that my remarks should not be construed in the sense of a desire to weaken by one jot any machinery presently enjoyed by, or proposed for, the staff for their protection. My intention is merely to point out that there appears to be a plethora of bodies that might be consolidated to some extent to the benefit of all. This is a matter which may well be left to the Secretary-General and the members of his staff to work out to their own satisfaction. My Delegation, however, has some suggestions, which it would be prepared to advance for the consideration of the Secretary-General and his staff at an appropriate time should they wish to give this matter their attention.

The Representative of Colombia made another suggestion with which, if I interpreted it correctly, my Delegation cannot agree. As I understand it, the suggestion was that whatever amendments to the regulations we agree to here at the present time would be in force on a temporary basis. We feel that these regulations should be inscribed so as to have full force, in order to avoid any further undesirable element of uncertainty. We do agree, however, that it would be desirable to review them at the end of the two year period recommended by the Advisory Committee.