



Explanation of vote on behalf of the Member States of the European Union

By

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Mr Chairman,

I have the honour to speak on behalf of the Member States of the European Union.

The Candidate Countries the former Yugoslav Republic of Macedonia*, Montenegro*, Iceland⁺, Serbia* and Albania*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA country Liechtenstein, member of the European Economic Area, as well as Ukraine, align themselves with this statement.

The amended draft decision A/C.5/69/L.9 which the Russian Federation has introduced requests the Secretary-General to withdraw his bulletin SG/SGB/2004/13/Rev.1 of 26 June 2014 on personal status for the purpose of UN staff entitlements, requests him to reissue his previous bulletin from 2004 and requests a report on the implementation of GA resolution 58/285.

In our firm view, the Secretary-General's Bulletin in no way contravenes GA resolution 58/285. The legal advice on this presented to the Secretary-General, and which was shared with this Committee, was crystal clear on this issue: the Bulletin does not amend the Staff Rules and Regulations in any way, does not seek to define nor redefine any terms within those Rules and Regulations, and is well within the purview of the Secretary-General.

Resolution A/RES/58/285 was the product of a very careful and at times divisive negotiation 10 years ago. The language used in that resolution was agreed upon, by all Member States of this Committee, and was clear in noting the practice at that time of the Secretary-General in determining UN staff personal status. Just as it was within his purview then to issue that Bulletin, an action affirmed by this Committee, we continue to believe that he acted well within his authority to administer his staff, as Chief Administrative Officer of the Organisation, in issuing his most recent Bulletin. We have noted the oral amendment made by the Russian Federation to its draft decision but as the amendment is also a matter within the purview of the Secretary-General it does not resolve the issue.

The Member States of the European Union will therefore vote NO on this draft decision and we encourage everyone to do the same.

Thank you, Mr Chairman.

* *The former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.*

⁺ *Iceland continues to be a member of the EFTA and of the European Economic Area.*