

**EGYPT****مصر**

The Permanent Mission of Egypt
to the United Nations
New York

بعثة مصر الدائمة
لدى الأمم المتحدة
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**Statement by the Non-Aligned Movement
Concerning Section F (Promotion of justice and international law)
and section H (Drug control, crime prevention and
combating international terrorism)
of the Report of the Secretary-General entitled
“Mandating and delivering: analysis and recommendations
to facilitate the review of mandates” (A/60/733),**

**Delivered by H.E. Ambassador Maged Abdelaziz
Permanent Representative of the Arab Republic of Egypt**

**in his capacity as Coordinator of the NAM Ad Hoc Working Group
concerning Review of Mandates, Reform of the Secretariat/
Management and System-wide Coherence Issues,**

**at the 4th Meeting of the Informal Consultations of the Plenary of the General
Assembly on the Report of the Secretary-General as contained in document
A/60/733, New York, 8 May 2006**

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I have the honour to speak on behalf of the Non-Aligned Movement. The Movement has considered the section pertaining to the promotion of justice and international law (Chapter F) as well as drug control, crime prevention and combating international terrorism (Chapter H) in the report of the Secretary-General, and would like to make some preliminary comments in this regard.

First: General Principles regarding the Review of Mandates:

1. The NAM had previously expressed its view on the principles that guide the process substantively and procedurally in the statement presented to the third meeting of informal consultation of the plenary of the General Assembly on the report of the Secretary-General on April 25th, we will refrain from repeating the five points previously expressed in the statement, nevertheless, we would reiterate that there should be clarity regarding the aim and the scope of the exercise we are engaged in, this exercise is meant to review mandates, not to look into the consolidation of reports or resolutions or their frequency, and if we agree to address this aspect, we need to do it on a case by case basis and in a manner that addresses the political and practical nature of the issues.
2. NAM is of the view there should not be any restriction for request for special reports. However NAM would welcome more systematic coordination and establishment of an efficient reporting system.

Second: Chapter F: Promotion of justice and international law:

1. Paragraph 108 of the report singles out the respective annual comprehensive reports related to oceans affairs and fisheries as well as periodical special reports on other topics of current interest. NAM views that the increasing number of reports, which include inputs from other relevant bodies such as CBD, FAO, etc., is a positive sign reflecting the growing importance of the UN, its increasing coordinating role and its growing engagement in ocean affairs and law of the sea for the benefit of member States. NAM would also like to emphasize that some of these reports were related to other treaty bodies, namely the review conference of the UN Fish Stocks Agreement.
2. NAM views these special reports as highly informative and as having provided in-depth information and knowledge in the latest developments relating to the various issues. It further serves to guide states in formulating appropriate response to mitigate problems relating to it.

Institutional architecture for implementation

3. NAM strongly objects and rejects the proposal of the Secretary-General of discontinuing the annual two-week deliberations on the Special Committee on the Charter of the United Nations and the Strengthening of the Role of the Organization. Since its establishment the Special Committee has proven to be useful body and as stated in the Secretary-General's report in paragraph 109, it provided several landmark texts on the peaceful settlement of international disputes, furthermore, it

had also contributed in the development and amendment of the rules of procedure of the General Assembly.

4. NAM views the Special Committee on the Charter and the strengthening of the organization representing the general membership of the organization in a committee that is mandated to look into institutional and legal issues that have a significant bearing on the structure of the organization and its work, the general membership should be engaged in discussion of such issues that are within the scope of its work, specially related to peaceful settlement of disputes, sanctions, issues related to the charter, such issues should not be left only to the Security Council with its limited membership to decide upon, the General Assembly should be engaged in such important decisions.
5. During this year's session, the Special Committee has once again proven to be useful by adopting two significant decisions relating to the commemoration of the sixtieth anniversary of the establishment of the ICJ, and improving the method of works of the special committee.
6. The Special Committee has before it a number of important issues, which have been stagnant for the past couple of years. NAM views that such a degradation in the work of the committee could only be contributed to the lack of political will of Member States to discuss and finalize the discussion.
7. The similarity of issues in other committees should not be an argument that the committee would end its work specially that it is a legal committee that looks into matters from a technical point of view needed to formulate a comprehensive approach to the issues. We recognize that some of the issues are also being dealt with in the other bodies of the U.N. such as the Special Committee on Peacekeeping, but they are merely looking at from the operational aspects of the issue, leaving a lacuna on the legal aspects. The suspicion of duplication need not be a criterion for discontinuance of the Committee.
8. NAM would like to seek more clarification on the reason to include paragraph 110 in this report. The aim of the report is to respond to the outcome document by facilitating the review of mandates older than five years in order to update and strengthen the program of work of the organization. This paragraph fits more into the discussion undertaken in the open-ended working group on Revitalization of the General Assembly. Having said that, NAM reaffirms its position that updating or interpreting the rules of procedures is the prerogative of the member States and that the Secretariat should refrain from engaging in such activity especially that Resolution 59/313 was clear in restricting the request to the Secretary-General to issue the rules of procedures of the General Assembly in a consolidated version in all official languages in print and online, and did not go further to mandate the update of the rules.

9. NAM would also be interested in further explanations regarding the briefing packages for the presiding officers of the organs which the Secretary-General proposed to be prepared by the Office of the Legal Affairs, and whether it is a new practice. NAM has no objection to the preparation of these special packages if it is meant to assist the presiding officers in chairing the meetings, and would also like for this briefing packages be made available to all Member States to also provide them with a better understanding of the meeting.

Third: Chapter H: Drug control, crime prevention and combating international terrorism:

Overlap among organs

1. The Commission of Narcotic Drugs and the Commission of Crime Prevention and Criminal Justice are efficiently fulfilling their mandates, NAM would doubt that merging the two commissions would achieve an improvement in their work, on the contrary, it will make it more difficult for member States to deal with the new entity bearing in mind that often on the national level, different agencies deal with various subjects that would complicate the relationship between the states and the new body.
2. NAM would appreciate more clarification on the matter.

Terrorism

3. NAM would like to reiterate that the issue of terrorism with its multi-dimensional facets is a vital subject that the General Assembly has always been preoccupied with. The way paragraph 122 of the report is highlighted gives the impression that the issue of terrorism is only being dealt with by the Security Council. NAM wishes to emphasize that while recognizing the respective mandates of the Security Council, the issue of terrorism remains an important agenda item in the General Assembly.
4. Regarding the consolidation of reports and combining visits of the three sub-committees of the Security Council, the NAM emphasizes that the September Outcome Document encouraged the Council to consider ways to strengthen its role in counter-terrorism while *respecting the different mandates of its counter-terrorism subsidiary bodies*, and in view of the sensitive nature of their work and their distinct mandates, it will be difficult to concur with the proposals of the Secretary-General to combine the reports or the visits. We would encourage the simplification of the procedures and the enhanced coordination among the three committees which could be achieved by promoting greater interaction and cooperation among the members of these committees and their experts.
5. Concerning the suggestion for the Security Council to consider universal procedures or common norm for the bodies to follow when dealing with non-compliant States, such norms may also be impractical because of the distinct and separate nature of issues each committee deals with, that can overlook certain important aspects such as capacity, resources and difficulty of implementation, furthermore, such an important subject that affect all members of the United Nations should be discussed in the

General Assembly as it is more capable of engaging and reflecting the views of the general membership of the organization.

6. The idea of creation of a single subsidiary body under Security Council should be carefully thought through, as it could raise serious issues of mandate within these committees and among the various UN bodies, moreover, it will undermine the role of the General Assembly in dealing with such an important matter.

Thank you, Mr. Chairman.