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PROVISIONAL SUMMARY RECORD OF THE 33rd MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 19 July 2001 at 9.30 a.m.

President: Mr. BELINGA-EBOUTOU (Cameroon)

later: Mr. SIMONOVIC (Croatia)
(Vice-President)

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(k) PUBLIC ADMINISTRATION AND DEVELOPMENT

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The meeting was called to order at 9.45 a.m.

THE ROLE OF THE UNITED NATIONS SYSTEM IN SUPPORTING THE EFFORTS OF AFRICAN COUNTRIES TO ACHIEVE SUSTAINABLE DEVELOPMENT (continued)

ECONOMIC AND ENVIRONMENTAL QUESTIONS:

- (k) PUBLIC ADMINISTRATION AND DEVELOPMENT (A/56/63-E/2001/21)

Panel discussion on the Charter for the Public Service in Africa

The PRESIDENT said that the topic of the panel discussion was directly related to the theme of the debate during the high-level segment. During that debate, several recommendations had been made concerning good governance, transparency and efforts to combat corruption, and the implementation of those recommendations would depend first and foremost on civil servants. It was therefore clear that if civil servants were not imbued with the highest ethical values, those recommendations would amount to nothing, thence the importance of the panel discussion topic.

Mr. BERTUCCI (Director of the Division for Public Economics and Public Administration), moderator of the panel discussion, said that ongoing efforts were being made to rethink the role of the State. It was therefore important to redefine the role and responsibilities of the civil service, particularly as civil servants were being called upon to undertake new tasks and meet new challenges as a result of globalization. In the light of that new situation, the African public service ministers had felt it useful to set out in an unprecedented document the values, characteristics and principles of the civil service as well as ethical standards that civil servants should abide by. For the United Nations, the adoption of the Charter for the Public Service in Africa was an initial step towards setting up a normative framework within which the day-to-day work of African civil servants would take place.

Mr. BATOKO (Benin) said he wished to focus his statement on the realities experienced daily by the men and women who staffed the civil service in Africa. It was in fact an awareness of those realities and of their impact on the behaviour and productivity on African civil servants that had led to the preparation of the Charter for the Public Service in Africa. While it was of course difficult to speak of a stereotypical civil servant, given that the civil service in Africa was highly diverse, African civil servants still shared certain traits with regard to their place and their impact in society and the problems they faced in their careers.

In Africa, civil servants enjoyed special status vis-à-vis other members of society, which allowed them to wield considerable influence within society. Yet their status and influence did not prevent them from experiencing problems of all types in their careers. In sociocultural terms, they had to deal with the traditional solidarity imposed on them by their membership in a specific regional or ethnic group, which revealed the gap between local sociocultural realities and the nation-State as inherited from the colonial period. In economic terms, the structural adjustment programmes adopted by African countries had led to a freezing of civil service salaries. Yet apart from job security and the right to a pension, a guaranteed salary had thus far been the principal factor motivating civil servants. Galloping inflation had also had a devastating effect on their purchasing power; civil service salaries had declined against the real cost of living by 255 per cent in Togo, 271 per cent in the Niger, 370 per cent in Côte d'Ivoire and 300 per cent in Benin over the past 20 to 30 years.

There were other reasons for the lack of motivation among African civil servants, having to do with poor career prospects, an overly centralized administration that stifled initiative, a lack of resources and inadequate training. The African public service ministers, supported by the United Nations in particular, had decided to reflect those realities in a Charter that would allow all States to deal with the demands of modern life and undertake reforms affecting structures as well as human resources. An African civil service that was rational and capable of motivating its employees would serve as an engine for development, a guarantee of social harmony and a means of consolidating young African democracies.

Mr. EL KHALIFA (Morocco), outlining the origins of the Charter for the Public Service in Africa, recalled that it was at their first conference, held in Morocco in 1994, that the African ministers of civil service had adopted the Tangier Declaration, which affirmed that any sustainable economic and social development required an efficient and competent administration. With that Declaration, the ministers had also sought to make the international community aware of the need to help African countries develop and modernize their administrative structures. In 1996, at the prompting of Morocco, the United Nations General Assembly, in its resolution 50/225, had defined the role that the Organization must play in building the capacities of States to formulate development policies, enhancing the efficiency of administrative structures and machinery, making optimum use of human resources in the public sector and improving the legislative and regulatory framework governing the activities of public authorities.

The African heads of civil service had held their second conference at Rabat in 1998 with a view to studying the development of the role and image of the civil service, promoting professionalism among civil servants and exploring civil service ethics. At the conclusion of the conference, the ministers had adopted the Rabat Declaration, in which they had called upon Morocco to set up a working group to prepare a draft Charter for the Public Service in Africa. After several meetings held in New York at the invitation of the United Nations, the working group had adopted the draft charter in January 2000; the draft contained a code of conduct for civil servants and was based on the idea of an African approach to the problems involved in developing the civil service in Africa.

At the third conference, held in Namibia in February 2001, the African ministers had unanimously adopted the final version of the Charter, which set out the framework for legislative, regulatory, technical and practical measures to promote the proper functioning of the public service, laid down rules of conduct for State employees and, lastly, underscored the political and moral commitment of African States to ensure the efficient use of the resources allocated for the civil service. The Windhoek Declaration adopted at that conference had also called upon African States to disseminate the Charter at the national level and to reorient their training programmes towards the use of new information and communication technologies. While the adoption of the Charter was in itself a positive step, the Charter was of little use if African States did not commit themselves to ensuring that its provisions were implemented by their public administrations. He was convinced that African leaders were determined to put the new criteria of professionalism and ethics into practice in their civil services and make the Charter a benchmark for other parts of the world.

Mr. GEINGOB (Observer for Namibia) said that the civil service was an essential cog in the apparatus for implementing State policy. In a way it was the principal mechanism linking the public authorities and civil society. The Charter for the Public Service in Africa defined the fundamental principles that should govern the civil service in Africa so that it could deal with ongoing changes efficiently.

If the Charter was to be more than an empty framework it must be implemented in the same way by all African States. It was therefore extremely important that it should enjoy the support of key government institutions and that it should then be discussed and adopted by

Parliament. Consideration should subsequently be given to ways in which the Charter fit within the national legislative framework and was reflected in actual administrative practice, an exercise in which the judiciary should be actively involved.

The Charter must be widely disseminated, for example, on National Civil Service Day. Regional and subregional bodies such as the Economic Commission for Africa and the Economic Community of West African States must also help to popularize it. To promote implementation of the Charter, the training provided in schools of public administration should be strengthened with the help of information and communication technologies; consultants and experts could also help to facilitate the incorporation of the Charter in national legislation. Lastly, follow-up mechanisms must be set up to obtain regular information on the implementation of the Charter, thereby ensuring that its provisions were respected.

Mr. BENJELLOUN-TOUIMI (Morocco) asked how the judiciary could help promote application of the Charter in the day-to-day functioning of the civil service in Africa.

Ms. SHESTACK (United States of America) said that civil servants' lack of motivation was related to the question of capacity-building. If African countries were to have a solid civil service, the exodus of African elites must be stopped. In a recent address to the World Bank, President Bush had stressed the importance he attached to education and had announced that he would make sure that all funds disbursed by the Bank would be half loans and half grants. That decision should help to lighten the debt burden of beneficiary countries and help them to better meet their budgetary obligations, particularly with regard to civil servants.

Mr. BRAUZZI (Italy) wondered whether in the new division of labour between the public and private sectors that was emerging in Africa there were plans for the public sector to "borrow" managers from the private sector. He also wished to know what impact decentralization would have on the civil service in Africa.

Ms. TOBING-KLEIN (Suriname) said that implementation of the Charter was important, and it was up to African countries, with the help of the international community, to take concrete steps to implement it.

Mr. MANIS (Sudan) said that the Charter for the Public Service in Africa was yet another example of the spirit of initiative that was emerging in Africa. The international community was determined to support Africa in that effort, as the Council's adoption of the ministerial declaration of the high-level segment showed. For those efforts to succeed, however,

it must be borne in mind that the civil service was an essential tool for implementing policies aimed at building the capacities of African countries in the face of globalization. Accordingly, his delegation urged Council members to continue to pay special attention to the question of the civil service in Africa.

Mr. AMEHOU (Benin) said that African States were faced with the problem of how to motivate civil servants to serve their countries more effectively when there were no financial resources available to increase their salaries.

Mr. BATOKO (Benin), replying to questions and observations from participants, said that speakers had clearly highlighted the link between the civil service and economic and social development. The Charter for the Public Service in Africa offered civil servants a compass in that it set out the rules that ought to govern the relationship between the civil service and users. Failure to abide by those rules or the inability of civil servants to meet clients' needs were simply impediments to development.

The civil service was currently undergoing reform in most African countries. Those reforms affected both civil servants themselves - criteria for recruitment, modalities of training, career development opportunities and attitudes vis-à-vis the civil service and users - and structures, and were aimed at establishing a framework that would allow civil servants to develop and perform their public service effectively.

Every State had legislation governing the relations between the civil service and users. Apart from interpreting the provisions of the Charter with a view to incorporating them in that legislation, the judiciary could play an active role in implementing the Charter, given that disputes often arose between the civil service and clients. Benin had a whole series of intermediary mechanisms for regulating the relations between government employees and the civil service and between the civil service and users, and the judge of the administrator tribunal acted as the final recourse.

Mr. EL KHALIFA (Morocco) agreed that the modalities of implementing the Charter for the Public Service in Africa, mentioned in articles 20 and 29 of the Charter, were an essential aspect of that instrument. The review of the Charter and its adoption by the Namibian Parliament were an important step. In keeping with article 29, it would be helpful if the current debate led to the establishment of a pan-African mechanism to identify modalities for concerted implementation.

The independence of the judiciary was one of the prerequisites for the proper functioning of State institutions; accordingly, the judiciary ought to be given all the freedom it needed to implement the Charter and uphold the rights of civil servants and users vis-à-vis the public administration.

Mr. GEINGOB (Observer for Namibia) said that the Namibian courts had decided that all civil service vacancies, including “sensitive” posts, would be advertised in official announcements in order to combat nepotism, clientism and other ills plaguing the civil service.

In theory, nothing prevented the public sector from “borrowing” managers from the private sector, but the terms of remuneration offered by the civil service were rarely conducive to such transfers. Civil service salaries must gradually catch up with those in the private sector; efforts had been made in that direction, but many obstacles had been encountered. In the interest of peace and national reconciliation, the Namibian Government had had to retain in their posts many civil servants with ties to the former apartheid regime. Decentralization would make it possible to absorb some of the excess staff.

Mr. BERTUCCI (Director of the Division for Public Economics and Public Administration) said that the rule of law - and the Charter for the Public Service in Africa was an element thereof - was one of the four pillars on which any capacity-building strategy must be based, the others being the institutional framework, education and training, and technology.

The PRESIDENT said that in adopting the Charter, the African countries had taken a major step for the future of Africa, since they had laid the necessary groundwork for establishing an elite - individuals who played certain vital functions in society, individuals who stepped out of their surroundings in order to change them. Those individuals must be given help in acquiring the knowledge and notions of ethics that were indispensable to their task. Only when the principles set out in the Charter had been realized and internalized could the page be turned.

Mr. SIMONOVIC (Croatia), Vice-President, took the Chair.

STATEMENT BY THE ASSISTANT SECRETARY-GENERAL FOR POLICY
COORDINATION AND INTER-AGENCY AFFAIRS

Mr. CIVILI (Assistant Secretary-General for Policy Coordination and Inter-Agency Affairs), opening the general segment of the session, said that the question of sustained follow-up to the Millennium Declaration, which had clearly dominated the Council's

discussions during the operational activities, coordination and high-level segments, could also be the theme of the general segment, perhaps even more directly. Implementation of the goals agreed at the Millennium Summit should indeed be the Council's focus when discussing the work of its subsidiary organs and of the United Nations system in general.

The Council would be taking decisions on how to improve the conference review process in a way that would maintain the focus on the commitments made and their implementation while making it possible to address new challenges and seize new opportunities to make progress. After considering the reports of its regional commissions and the consolidated report of the work of its functional commissions, the Council should guide those bodies in maximizing their respective contributions to the achievement of the goals of the Millennium Declaration and ensure that their activities were mutually reinforcing. The Council should also seek to ensure that the activities of the United Nations system as a whole were focused on the Declaration goals when considering the annual overview report of the Administrative Committee on Coordination for 2000 (E/2001/55) and the implementation of the recommendations the Council had made at its previous session in its ministerial declaration and in the agreed conclusions on information and communication technologies, conference reviews and the Habitat Agenda.

The Council might wish to encourage new efforts in two areas: acquired immunodeficiency syndrome (AIDS) and poverty. The debate on AIDS could be an opportunity for giving new impetus to the implementation of the recommendations adopted by the General Assembly at its special session on that question, while consideration of the report on the global campaign for poverty eradication (E/2001/84) might lead to the development of guidelines for activities in that area.

The Council had made substantial and steady progress in improving its methods of work, selecting more timely topics and reflecting new global realities, particularly the need to involve a wide range of public and private actors; the Council must continue to demonstrate its willingness and capacity to innovate in order to become a privileged forum for dialogue. It might therefore wish to focus on three sets of issues: first, how to strengthen the integration and complementarity of activities while maintaining the advantage offered by the current system of considering topics in segments; next, how to select a truly high-level group of participants for the high-level debate on each topic; and, lastly, how to take advantage of the considerable progress

made in achieving real dialogue with heads of agencies and civil society actors. In his report on the restructuring and revitalization of the United Nations in the economic, social and related fields (A/56/77-E/2001/69), the Secretary-General had made a number of proposals on ways that the Council might enhance its impact not only on the work of the system but also on development cooperation and the financial and monetary community, and also on the peace-development nexus. Those proposals should be considered in greater depth, bearing in mind the goals of the Millennium Declaration.

COORDINATION, PROGRAMME AND OTHER QUESTIONS

- (c) JOINT UNITED NATIONS PROGRAMME ON HUMAN IMMUNODEFICIENCY VIRUS/ACQUIRED IMMUNODEFICIENCY SYNDROME (UNAIDS) (E/2001/82; E/2001/CRP.2)

Mr. PIOT (Executive Director of the Joint United Nations Programme on Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (UNAIDS)) introduced the note by the Secretary-General on the Joint United Nations Programme on HIV/AIDS (E/2001/82) and the more detailed report prepared for the UNAIDS Programme Coordinating Board (E/2001/CRP.2). Those reports showed that for the first time in 20 years a global response was emerging that was commensurate with the scale of the crisis, which had devastating consequences in both human and development terms. During the past two years UNAIDS had helped reshape the global AIDS agenda. AIDS was currently at the top of the global political agenda and was viewed as a development issue; gender equality and the needs of young people were key concerns, and care and prevention were viewed as inseparable.

Response at the country level had become broader and multisectoral and was starting to decentralize. Access to medicines, particularly antiretroviral drugs, which had formerly been a utopian dream, was becoming a reality. The United Nations system finally had new coordinating tools, with the Global Strategy Framework on HIV/AIDS, the United Nations System Strategic Plan, which covered the AIDS-related work of 29 United Nations agencies, and the UNAIDS Unified Budget and Workplan. But it was at the country level that coordination of the system's activities could be most effective. The Theme Groups on HIV/AIDS, which played an essential role, must become more effective by developing integrated workplans, supporting national efforts, increasing their influence as they grew and addressing AIDS as a multisectoral issue in the mainstream of all development efforts.

Coordination was necessary but was not enough. Annual spending on AIDS in developing countries needed to be at least five times higher. The Global AIDS and Health Funds would be a new source of funds. UNAIDS should expand its work, tailor its support to different regions, strengthen coordinated action at the country level, demonstrate the impact of its activities, generate new resources and build on the momentum of the past two years. The Declaration of Commitment adopted by the General Assembly at its special session on HIV/AIDS offered an opportunity for achieving greater coherence between national and international responses. The Council's role was clear: it must encourage a concerted, full-scale response to AIDS.

Mr. VAN DER PLUIJM (Observer for Belgium), speaking on behalf of the countries members of the European Union, the associated countries of Central and Eastern Europe (Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia), the associated countries of Cyprus, Malta and Turkey, and also Liechtenstein, said that the European Union encouraged UNAIDS to continue its work, particularly in the field and in the context of country programmes, and to expand its efforts to increase awareness of HIV/AIDS. The United Nations System Strategic Plan for HIV/AIDS, 2001-2005, must also be strengthened to take into account the goals identified by the General Assembly at its special session on HIV/AIDS, identify the roles of the various agencies in that effort and ensure that regional and global efforts were better tailored to the needs of individual countries.

At the special session of the General Assembly, the international community had taken an innovative approach that went beyond the traditional donor/beneficiary paradigm, and the European Union welcomed it. An informal preliminary meeting had been held in Brussels on the establishment of a global fund on AIDS and health, and had assessed the progress made in defining the fund's mandate and elaborating a working timetable. The European Union wholeheartedly endorsed the inclusion of efforts to combat malaria and similar illnesses in national poverty-reduction strategies.

Mr. SAGACH (Observer for Ukraine) said that UNAIDS had achieved considerable success, largely as a result of its efforts to raise public awareness and disseminate knowledge, experience and best practices, and because it continued to involve new partners, including Governments, non-governmental organizations (NGOs) and business and

scientific circles. UNAIDS had in fact gone beyond a simple health-oriented approach to a multisectoral one. In Ukraine, UNAIDS was working closely with government bodies and NGOs to set up several projects, and his delegation hoped that those activities would be intensified. He was pleased to note that the President of Ukraine and the Ukrainian Government had made efforts to combat the pandemic a national priority and had decided to proclaim 2002 as the Year of combating AIDS in Ukraine.

The Ukrainian Government believed that the decisions taken by the General Assembly at its special session must be put into action quickly. It had already adopted a prevention programme for the period 2001-2003 which outlined a new comprehensive and multisectoral strategy. He hoped that UNAIDS and its co-sponsors would become actively involved in the implementation of that programme.

In general, Ukraine endorsed the conclusions reached by the Executive Director of UNAIDS in his report (E/2001/82, chap. VI), because they were consistent with the needs and tasks identified by the General Assembly at the special session; he drew the Council's attention in particular to conclusions (a), (c), (e), (f), (h) and (i).

Mr. AARDAL (Norway) said that the HIV/AIDS epidemic stood at the top of the list of development challenges to be met by the Norwegian Government. Prevention must continue to be the mainstay of the response to the epidemic, and that effort must involve political leadership and a willingness on the part of all to address issues related to sexual relations, the inclusion of vulnerable groups and the mobilization of religious organizations, trade unions, employers, youth, women's organizations and NGOs.

Breakthroughs in health care and vaccines meant that structural and systemic barriers to access to them must be eliminated, and the pharmaceutical industry must be morally bound to make new drugs more affordable. But the price of drugs was not the only issue: public health systems needed to be able to reach the poorest while safeguarding the rights both of individuals and of society as a whole. Additional resources were therefore necessary, and at the special session of the General Assembly the Norwegian Government had pledged an additional US\$ 110 million over the next five years for international efforts to combat HIV/AIDS, tuberculosis and malaria. His Government hoped that the mandate of the planned global AIDS and health fund would be expanded to cover tuberculosis and malaria. Norway also wanted the countries of Africa to be given an opportunity to identify the critical issues as well as the

functional modalities that would render the fund as useful as possible. His delegation would endeavour to follow up the recommendations formulated at the conclusion of the special session of the General Assembly.

Mr. HOHMAN (United States of America) said his delegation was pleased that the United Nations system was paying increased attention to HIV/AIDS and welcomed the progress being made at the country level. However, the United Nations Theme Groups should work more effectively in all countries and should encourage greater accountability at the national level for achieving results from their efforts to help Governments combat the pandemic.

In the light of the commitments undertaken at the special session of the General Assembly devoted to HIV/AIDS, short-term action at the national, regional and global levels must be taken quickly. Efforts at the national level should start with the adoption of policies and strategies that addressed all aspects of the problem. At the global level, his delegation hoped that all countries and other donors, including foundations, the private sector and even individuals, would lend their support to the creation of a global fund to combat HIV/AIDS. His delegation hoped that the fund would be operational by 1 January 2002.

Mr. FETISOV (Russian Federation) said that UNAIDS played a particularly useful role in the area of coordination and took care to respect the priorities identified in national programmes. The United Nations Theme Groups should step up the coordination of national machineries, and the Russian Federation fully supported their efforts. Given the spread of infection, a strategy of prevention and epidemiological monitoring should be developed in all countries and implemented with help from UNAIDS. As drug addicts were increasingly becoming HIV-positive, the Russian Federation hoped to see more projects in the country that focused on those individuals. The Russian Federation had experience in the area of treatment and diagnosis which it had acquired in various specialized centres, and that expertise was readily available to UNAIDS.

His delegation wholeheartedly endorsed the Declaration adopted at the conclusion of the special session of the General Assembly devoted to HIV/AIDS and hoped that the Global Fund for AIDS and Health would be operational as soon as possible. He agreed with the observer for Belgium that the Fund's resources should also be used to combat tuberculosis and malaria.

Mr. APATA (Nigeria) said that the Declaration of Commitment adopted by the General Assembly at the conclusion of the special session grew out of the international community's unanimous desire to combat the pandemic in the wake of the work already done by UNAIDS, and he welcomed in particular the forthcoming creation of a global fund of more than \$1 billion, to which Nigeria had already pledged a contribution of \$10 million. His delegation hoped that the fund would be established by 1 January 2002 so that the urgent and sustained action that was needed could be carried out everywhere. However, the fund's executive board must seek to ensure a balanced participation of developed and developing countries according to a different pattern than the traditional one of donors and beneficiaries. The Secretary-General should also continue to act as chief executive of the fund.

The Council's role was also extremely important because that body would have to constantly bring the problem to the attention of donors and submit regular reports to them.

Mr. WAHPA (United Nations Development Programme (UNDP)) recalled that UNDP was one of the co-sponsors of UNAIDS. For UNDP, AIDS was above all a threat to development, which is why the Programme had considered the epidemic's impact on reproductive health, vulnerable groups such as orphans, and poverty. At the country level, UNDP encouraged participation by NGOs and civil society, but also donors and employers - in other words, all stakeholders - in the fight against AIDS. The main function of the United Nations Theme Groups was to support national AIDS programmes and not merely to ensure coordination among the various organizations acting within a country.

Mr. MANIS (Sudan) endorsed the proposal made by the representative of Norway on behalf of the European Union to expand the planned Global Fund on AIDS and Health to cover two other equally formidable pandemics: malaria and tuberculosis.

Ms. BELLAMY (International Confederation of Free Trade Unions (ICFTU)) noted that HIV/AIDS claimed many victims among the working population, particularly in the countries most affected by the epidemic, where the infection raged among young adults. The workplace was the site of many forms of discrimination against sick people and trade unions and employers must therefore tackle the problem together through agreements, collective bargaining and programmes to promote prevention through information and education and care and support for infected persons. Her organization was prepared to act in all regions and at all levels on the

basis of the programme of action adopted at its World Congress, the joint ICFTU/International Labour Organization (ILO) project and the ILO code of practice on HIV/AIDS adopted in June 2001, and it would specifically try to establish structures in the workplace, even in small enterprises, that respected confidentiality.

Climate change could have a significant effect on sustainable development, and it was the most vulnerable individuals, those already affected by HIV/AIDS and those likely to become infected, who were most at risk. In-depth studies should therefore be carried out on that subject so that UNAIDS could propose appropriate action. Efforts should also be made to ensure that the global fund that was being created was managed in a transparent fashion.

The meeting rose at 12.45 p.m.