



STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA BY MR. SEBASTIÁN DI LUCA OF THE PERMANENT MISSION OF ARGENTINA TO THE UNITED NATIONS, ON AGENDA ITEM 143, ADMINISTRATION OF JUSTICE AT THE UNITED NATIONS, AT THE MAIN PART OF THE SIXTY-SIXTH SESSION OF THE FIFTH COMMITTEE OF THE GENERAL ASSEMBLY (New York, 1 November 2011)

Mr. Chairman,

1. I have the honour to speak on behalf of the Group of 77 and China on this important agenda item.

2. We would like to thank the Assistant Secretary-General, United Nations Ombudsman Mr. Johnson Barakat for introducing the report on the activities of the Office of the United Nations Ombudsman and mediations services. We would also like to thank Mr. Andrei Terekhov for introducing the reports of Administration of Justice at the United Nations and the Chairperson of ACABQ, Mr. Collen Kelapile for introducing the report of the Advisory Committee.

Mr. Chairman,

3. The Group of 77 and China values the United Nations staff as the Organization's vital asset and attaches great importance to the issue of the Administration of Justice, which is an integral part of an effective human resources management system. We thus firmly support the reform approved by General Assembly resolutions 61/261, 62/228, 63/253 and 65/251.

4. After 27 months of implementation of the new system of Administration of Justice as set up in resolution 63/253 and reinforced by resolutions 64/233 and 65/251 and despite the numerous difficulties faced during this period of time by the new system, the Group notes with appreciation the achievements made in both disposal of the backlog and addressing the new cases. We believe that further progress will be made by the tribunals with their strengthened operational capacities in handling all the pending cases in due course of time.

5. The Group of 77 and China welcomes the action taken to date to encourage the informal resolution of disputes. This process plays an important role in the resolution of disputes and, by extension, in avoiding unnecessary recourse to litigation.

6. The success of the new system of the Administration of Justice depends on the allocation of sufficient funds and qualified personnel. Therefore, the Group of 77 and China emphasizes on the need to assign adequate resources to support the handling of appeals and disciplinary cases at offices away from headquarters and the regional commissions and to assist in litigation matters at the dispute Tribunal locations in Geneva and Nairobi.

7. The Group recognizes that the system is evolving and needs to be carefully monitored in order to ensure its adequate progress and consequently a strong success. Therefore, for the Group it is of paramount importance the strengthening of many key areas in order to maintain the Assembly's mandates for the current system.

Mr. Chairman

8. The Group of 77 and China notes that despite the progress made in the administration of justice in the UN- system, there are no permanent courtrooms in Nairobi, Geneva and New York. The Group notes that the construction of a dedicated permanent courtroom still is in progress and in this regard, urges the Secretary-General to facilitate as a matter of priority, the completion of the project for which resources have been made available under the 2012-2013 proposed programme budget.

Mr. Chairman

9. The Group of 77 and China regrets that an agreement on a cost-sharing arrangement on the totality of the internal justice system has yet to be finalized, despite discussions on this issue having begun in February 2008, with Funds and Programmes. We trust the leadership of the Secretary-General to expeditiously conclude an agreement on the pending issue.

10. Finally, the Group believes that an independent, effective, transparent system of Administration of Justice is imperative to ensure due process within the Organization. It ensures accountability and transparency in decision-making by holding managers accountable for their actions, in accordance with the relevant resolutions of the General Assembly.

11. The Group of 77 and China would like to reiterate its determination to engage constructively on this important agenda item.

Thank you, Mr. Chairman.