



**STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA BY
AMBASSADOR CONROD HUNTE, DEPUTY PERMANENT REPRESENTATIVE
OF ANTIGUA AND BARBUDA TO THE UNITED NATIONS, ON AGENDA ITEM
128: CONDITIONS OF SERVICE: JUDGES, AT THE FIRST RESUMED
SESSION OF THE 62ND SESSION OF THE FIFTH COMMITTEE OF THE
GENERAL ASSEMBLY (New York, 14 March 2008)**

Mr. Chairman,

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

2. We thank Officer-in-Charge of Human Resources Management Ms. Sandra Haji-Ahmed, and the Chairwoman of the ACABQ Ms. Susan McLurg, for introduction of the respective reports on this item.

3. The Group of 77 and China attached highest the importance to the work of the International Court of Justice (ICJ), and the International Tribunals for the Former Yugoslavia and for Rwanda and, accordingly, it was always in favour of a compensation package commensurate with the high status and responsibilities of its members and judges. In this regard, we believe that the General Assembly has always tried to achieve these goals in an impartial and objective manner.

4. The Group of 77 and China supports the key principles enshrined in the statutes of the ICJ and the Tribunals that the salary and allowances of the judges shall be fixed by the General Assembly and that they may not be decreased during the term of office. We also are of the view that equality among judges is a basic principle of the system of international adjudication of disputes between States.

Mr. Chairman,

5. Resolution 61/262 requested the Secretary-General to review and update the travel and subsistence regulations for the ICJ. The Secretary-General has come up with a proposal that has encountered no objection from the ACABQ. We concur with the Secretary-General's proposal - and the subsequent ACABQ recommendation - of maintaining the current provisions of the travel and subsistence regulations of the Court.

6. Regarding remunerations, we note with concern that a situation has been created where the principle of equality of ICJ members and ad hoc judges is not preserved. The Group of 77 and China would like to reaffirm its strong support to the preservation of the principles of the Charter of the UN and the Statute of the ICJ. We have considered with great interest the comments presented by the President of the ICJ and in this regard the Group wishes to stress its commitment to assure equality of salaries and condition of service of all judges.

7. We note that the Secretary-General has presented two possible ways of protecting the level of remuneration and the equality of members and ad hoc judges of the ICJ without affecting the decision of the General Assembly to abandon the floor/ceiling mechanism. The Group of 77 and China is willing to adopt a decision in line with these suggestions

8. The Group of 77 and China also notes that resolution 61/262 has requested the Secretary-General to submit, during this session, options for designing pension schemes for the members of

the ICJ and the judges of ITY and ICTR. We regret that such a report is not being presented at the present moment and the Group, aware that this item should also receive proper consideration, requests that the report be available before the end of the 62nd session.

9. The Group of 77 and China believes that decisions to be reached with regards to the salaries and other allowances for any category of judges working within the UN system should be based on their own merit. All other cases would be dealt according to the prescribed procedures within the respective forums.

G-77 I thank you, Mr. Chairman. G-77 G-77 G-77 G-77 G-77 G-77 G-77

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