




STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA BY MR. IMTIAZ HUSSAIN, PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF PAKISTAN TO THE UNITED NATIONS, ON AGENDA ITEM 117  PROGRAMME BUDGET FOR THE BIENNIUM 2006-2007, CONDITION OF SERVICE AND COMPENSATION FOR OFFICIALS OTHER THAN SECRETARIAT OFFICIALS, IN THE FIFTH COMMITTEE OF THE GENERAL ASSEMBLY (New York, 5 March 2007)

Mr. Chairman,

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

2. We thank Ms. Marianne Brzak-Metzler, Chief of the Conditions of Service Section of the Office of Human Resources Management, and the Chairman of the ACABQ Mr. Rajat Saha, for introduction of the respective reports on this item.
3. The Group of 77 and China attaches high importance to the work of the International Court of Justice (ICJ), and the Tribunals and accordingly favours a compensation package to the honourable judges that is commensurate with their high status and responsibilities and ensures their independence. We believe that the General Assembly has so far done a good job in this context. Every effort has been made to ensure that the compensation package for different categories of judges is protected against factors that can undermine the net value of the salaries.
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. Bearing in mind the provisions of the statutes of the tribunals, the Group of 77 and China generally supports the principle of equity in the benefits to the judges of the tribunals with those of the ICJ. The Group also would like to ensure that the two tribunals receive the necessary support from the General Assembly to complete their mandates.
5. The Group of 77 and China remains concerned over the different treatment to and disparities among the judges based in The Hague and those based in Arusha. While the salaries of the judges in The Hague and those of International Criminal Tribunal for the former Yugoslavia have been protected against fluctuations in exchange rates and the consumer price indexes, no specific measures are in place to protect the salaries of the judges of the International Criminal Tribunal for Rwanda.
6. The current report before the committee sheds important light on some of these complex issues. However, further clarification would be imperative on the application of floor/ceiling mechanisms, the differences in the salaries and allowances, and the disparities in the pension benefits to different category of judges before reaching the appropriate decisions.
7. The Group of 77 and China notes the issues raised in the report and would be engaging in the informal consultations constructively and with a view to clarify the issues. We believe that the General Assembly, in consultation with International Civil Service Commission, should consider developing a concrete and well defined mechanism to deal with this important issue, that comes for its consideration periodically.

8. The Group of 77 and China wants to clarify for the record that any decisions reached with regard to the increase in the salary and other allowances of the judges of the ICJ and the Tribunals shall not constitute a precedent for any other category of the judges working within the UN system and these decisions will not be used as a basis for seeking similar or proportionate increases in the salaries. All other cases would be dealt according to the prescribed procedures within the respective forums.

I thank you, Mr. Chairman.