



**STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA BY MR. WALEED ALSHAHARI, PERMANENT MISSION OF THE REPUBLIC OF YEMEN TO THE UNITED NATIONS, ON AGENDA ITEM 140, ADMINISTRATION OF JUSTICE AT THE UNITED NATIONS, AT THE MAIN PART OF THE SIXTY-FIFTH SESSION OF THE FIFTH COMMITTEE OF THE GENERAL ASSEMBLY (New York, 10 November 2010)**

Mr. Chairman,

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. Johnston Barkat, for introducing the report of the Secretary General on the activities of his Office. We would also like to thank the Executive Director of the Office of the Administration of Justice, Mr. Andrei Terekhov for introducing the report of the Secretary General on Administration of Justice at the United Nations and the Chairperson of the ACABQ, Ms. Susan McLurg, for introducing the related report of the Advisory Committee. We thank also the Vice-President of the Staff-Management Coordination Committee (SMCC), Ms. Paulina Analena for presenting the views of the staff on Administration of Justice.

Mr. Chairman,

3. The Group of 77 and China values the United Nations staff as the Organisation'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 reforms approved by the General Assembly resolutions 61/261, 62/228 and 63/253.

4. After the first sixteen months of implementation of the new system of Administration of Justice as set up in resolution 63/253 and reinforced by resolution 64/233 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 back log 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.

Mr. Chairman,

5. The Group of 77 and China notes with regret the delay in finalizing an agreement with the Funds and Programmes on a cost-sharing arrangement. We trust the leadership of the Secretary General to expeditiously conclude negotiations on this important matter.

6. The Group of 77 and China notes with concern that no provision has been made for the construction of permanent courtroom space in the three UNDT locations which could impede the quick disposal of cases. The Group will seek further information on that particular situation during the informal consultations.

Mr. Chairman,

7. The Group of 77 and China believes that the United Nations staff has far too long suffered the consequences of a poorly equipped staff professional legal assistance unit. In its resolutions

61/261 and 62/228 the General Assembly agreed with the need for the provision of such a professional legal assistance. The Group in this context concurs with the ACABQ and regrets that the Secretary General report does not contain proposals to address this long standing issue. The Group will follow up by seeking additional information on this particular concern.

8. The Group of 77 and China continues to support that the Office of the Administration of Justice must be headed by the senior leadership at least an ASG level. We will pursue this matter during the negotiations on this agenda item.

9. The Group of 77 and China recognized the need for an enhanced oversight function to ensure the effective implementation of the new system of administration of justice in the most cost-effective manner possible. The Group fully adhere to the principle of an accountability mechanism within the new system deem to provide the adequate jurisprudence taking into account the specificities of the United Nations system wide.

10. Finally, the Group believes that an independent, effective, transparent, system of Administration of Justice is imperative to ensure due process for and just treatment of staff. 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 to conclude this important agenda item.

Thank you, Mr. Chairman.

