



STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA BY MS. DAYANA RIOS REQUENA, MINISTER COUNSELLOR IN THE PERMANENT MISSION OF THE PLURINATIONAL STATE OF BOLIVIA TO THE UNITED NATIONS, ON AGENDA ITEM 144: ADMINISTRATION OF JUSTICE AT THE UNITED NATIONS, AT THE FIFTH COMMITTEE DURING THE MAIN PART OF THE SIXTY-NINTH SESSION OF THE UN GENERAL ASSEMBLY (New York, 16 October 2014)

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. Johnston Barkat for introducing the report on the activities of the Office of the United Nations Ombudsman and mediation services as contained in document A/69/126. We would also like to thank the Executive Director of the Office of Administration of Justice, Ms. Linda Taylor, for introducing the report of the Administration of Justice at the United Nations as contained in document A/69/227 as well as the Chairman of Advisory Committee on Administrative and Budgetary Questions (ACABQ), Mr. Carlos Ruiz Massieu, for introducing the Advisory Committee's related report.

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. The current system of Administration of Justice established by these resolutions intends to be independent, transparent, professionalized, adequately resourced and decentralized and to be consistent with the relevant rules of international law and the principles of the rule of law and due process to ensure respect for the rights and obligations of staff members and the accountability of managers and staff members alike.

4. After five years of the 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 and any reduction in the judicial capacity of the tribunals would result in a significant increase in the length of time required to adjudicate cases.

5. The Group believes also that the informal resolution of disputes remains essential in the system of administration of justice in order to avoid unnecessary recourse to litigation and in that regard, we commend the efforts made by the Office of the United Nations Ombudsman and mediation services in resolving disputes and assisting staff and managers across the Organisation. However, we regret that till now the Office of the United Nations Ombudsman and mediation services has not responded to the repeated requests of the General Assembly regarding the promulgation of the

revised terms of references for the United Nations Ombudsman and mediation services.

6. The Group of 77 and China notes with appreciation the efforts made to provide to Member States, during this session, various proposals, mandated by relevant General Assembly resolutions in order to strengthen the current system of internal justice, in particular the revised proposals of conducting an interim assessment of the formal system of the administration of justice, the enforcement of the code of conduct for the judiciary, the terms of reference for the integrated Office of the United Nations Ombudsman and Mediation Services and the patterns with respect to cases related to staff with disabilities. The Group will consider each of them on its own merit.

Mr. Chairman,

7. Despite the overall positive trust built by the current system which justifies increases in the number of applications and interlocutory orders, the Group notes with great concern that on the other hand, the increase of applications in the system is an indicator of bad management and of poor relations between staff and management. The Group recalls paragraph 5 of resolution 61/261 which emphasized that the introduction of the new system of Administration of Justice should, inter alia, have a positive impact on staff-management relations and improve the performance of both staff and managers. This aspect of the functioning of the new system will also be scrutinized by the Group with the aim of having it fully reach the goals for which this system of internal Justice was created.

8. In this regard, the Group recognises the importance of lessons learned for managers and expects that they will produce concrete results in managerial actions.

Mr. Chairman,

9. The Group welcomes the inauguration of the permanent courtroom in Geneva and Nairobi and wishes that the courtrooms in New York and will be operational as soon as possible.

10. Finally, the Group believes that an independent, effective, and transparent system of Administration of Justice is imperative to ensure due process within the Organization, and that it guarantees 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