



STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA BY MRS. AICHA AFIFI, MINISTER PLENIPOTENTIARY, PERMANENT MISSION OF MOROCCO TO THE UNITED NATIONS, ON AGENDA ITEM 123: ADMINISTRATION OF JUSTICE AT THE UNITED NATIONS, IN THE FIRST PART OF THE RESUMED FIFTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY'S FIFTH COMMITTEE- New York, 5 March 2003

Mr. Chairman,

1. I have the honour to speak on behalf of the Group of 77 and China on agenda item 123 entitled "Administration of Justice at the United Nations".
2. The Group wishes to thank the representatives of the Secretary-General, the Joint Inspection Unit, and the Advisory Committee on Administrative and Budgetary Questions for the introduction of relevant reports before us.
3. The Group attaches great importance to the consideration of this item, given its influence in defining a smooth and transparent relationship between the staff and the management and on the impact such a relationship could have on the efficient functioning of the Organization, and on the need to strengthen the system as an integral part of an effective reform on human resources management.
4. In view of the importance of this subject, the Group had asked for the separation of this item from the agenda item relating to human resources management. The Group of 77 and China, however, regrets that the late issuance of relevant documentation has resulted in consideration of this item in the resumed 57th session of the General Assembly, rather than in the 56th session as originally requested by resolution 55/258.

Mr. Chairman,

5. The Group reaffirms that any reform of the UN administration of justice system should be in conformity with the Charter of the UN and relevant resolutions of the General Assembly. Furthermore, the Group emphasizes that any proposals pertaining to the reform of the administration of justice system should be considered by the Fifth Committee from its administrative and human resources management aspects.
6. Administration of justice in general requires an effective system of accountability and transparency. Serious problems exist within the current system of justice which makes it slow and cumbersome. The Group of 77 and China notes, in this regard, that the Secretary-General in his report A/56/800, presents possible amendments to staff rules and regulations aimed at reviewing the role of the Joint Appeals Board according to the options contained in paragraph 4 of section XI of resolution 55/258.
7. The Group welcomes the proposal of the working group of the Staff-Management Coordinating Committee (SMCC) for the establishment of annual reporting on the outcome of the work of the Joint Appeals Board and the Joint Disciplinary Committee, as well as the promulgation of administrative issuance to codify practice concerning acceptance of unanimous recommendations of both the board and the committee.
8. The Group welcomes the establishment of a full time Ombudsman, with a view to strengthening the informal mediation process attempting to reduce the backlog in the administration of justice at

the Secretariat of the United Nations.

9. The Group cannot overstate the right of all staff members to a transparent and just legal system, one that is based on multilevel legal consideration and guarantees the concept of impartiality. In this regard, the Group underlines the need for a concrete reform process to the administration of justice system. The Group notes with appreciation that the Joint Inspection Unit has presented tangible recommendations in this vein. It is our expectation that these recommendations will be given due consideration by the Secretary-General as well as the General Assembly, and that they will promote the consideration of alternatives in reforming the current system.

10. The Group of 77 and China stands ready to discuss the various issues raised in this statement during informal consultations.

Thank you, Mr. Chairman.