



**STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA  
BY MS LOURDES PEREIRA SOTOMAYOR, FIRST SECRETARY, PERMANENT MISSION  
OF ECUADOR TO THE UNITED NATIONS, ON AGENDA ITEM 146: ADMINISTRATION OF  
JUSTICE AT THE UNITED NATIONS, AT THE MAIN PART OF THE SEVENTY-SECOND  
SESSION OF THE FIFTH COMMITTEE OF THE GENERAL ASSEMBLY**

**(NEW YORK, 13 NOVEMBER 2017)**

Mr. Chairman,

1. I have the honor to speak on behalf of the Group of 77 and China on agenda item 146, entitled "Administration of Justice at the United Nations".
2. At the outset, the Group would like to thank the Executive Director of the Office of Administration of Justice, Ms Alayne Frankson-Wallace, for introducing the report of the Secretary-General on Administration of Justice at the United Nations, as contained in document A/72/204. We would also like to thank Mr. Johnston Barkat, Office of the United Nations Ombudsman and Mediation Services, as contained in document A/72/138, as well as the Chairman of the Advisory Committee on Administrative and Budgetary Questions, Mr. Carlos Ruiz Massieu, for introducing the Advisory Committee's related report (A/72/7/add.19).

Mr. Chairman,

3. The issue of Administration of Justice remains one the key priorities of the Group 77 and China, as a parameter of an effective Human Resources Management and an accountability tool.
4. An Interim Independent Assessment Panel of the system of Administration of Justice has concluded last year that the current system has made a good start and is an improvement over the previous system and that the aims and objectives of the system have been achieved to a very great extent. However, it was noted that there is still room for further improvement in the system of Administration of Justice in the United Nations.
5. In this connection, the Group notes with concern the continued widespread lack of knowledge of the internal system of justice among staff members. Also, there is still a high degree of self-representation before the Dispute Tribunals. It appears that in 2016, 67% of staff members self-represented, despite the fact that a staff legal assistance free of charge is available through the Office of Staff Legal Assistance. Further, there is a weakening of the organizational culture of accountability related to the problems of functioning of the system of referrals for accountability from the Tribunals. During the reporting period, there was no decision on the accountability of managers whose decisions had been established to be grossly negligent, and had led to litigation and subsequent financial loss.
6. From the view of the Group, all these issues must be further analyzed to be fully addressed.

Mr. Chairman,

7. With regard to the functioning of the Administration of Justice, the Group notes in overall a continued increase of applications of the system. The majority of cases continue also to be related to benefits and entitlements, appointment matters and separation from service.

8. In this table, it is our satisfaction to see an increase of the use of the Ombudsman and Mediation Services. The G-77 and China encourages maintaining this positive trend of informal dispute resolution, when appropriate. The Group wishes to stresses the role of the Ombudsman and Mediation Services providing the institutional capacity to prevent and/or resolve workplace conflict and promote collaboration and reiterates the continued importance of the informal part of the system of administration of justice in taking early action to prevent or limit cases of litigation.

9. In another part, the Group welcomes the decrease of the number of pending applications and appeals, which denotes the efforts of the Tribunals to accelerate the treatment of the cases before them.

Mr. Chairman,

10. The General Assembly in its Resolution 71/266 decided to consider at its 72nd session the issues related to resources requirements for improving the functioning of the system of Administration of Justice.

11. In this regard, the Group notes the proposals of the Secretary-General for establishment of new posts, additional permanent judges in lieu of the current three *ad litem* judges as well as the payment of interlocutory motions adjudicated by the United Nations Appeals Tribunal and the stipend to the President of the above Tribunal. The Group notes also the intention of the Secretary-General to convene a conference to mark the tenth anniversary of the system of Administration of Justice at the United Nations, in 2019, and the related resources requirement.

12. The Group will consider each proposal in its own merit and in light with the resolution 71/266 which intended to provide resources for improving the functioning of a transparent, professionalized, adequately resourced and decentralized system of Administration of Justice.

13. Regarding the financing of the Office of Staff Legal Assistance (OSLA), the Group notes that the voluntary supplemental staff funding mechanism was established in an experimental basis, since 1 January 2014.

14. The Group also considers that after four years of implementation, all the lessons learned from the experience should be provided, in the perspective of the establishment of a sustainable financing of the OSLA.

Mr. Chairman,

15. In conclusion, the Group of G77 and China would like to reiterate the need for an improved and stronger system of Administration of Justice for the benefit of the Organization.

16. The Group of 77 and China assures you to work constructively with the aim to reach a successful conclusion of this agenda item.

I thank you Mr. Chairman.