STATEMENT BY MR. R.K. SINGH PATEL, MEMBER OF PARLIAMENT, ON AGENDA ITEM 140 – ADMINISTRATION OF JUSTICE AT THE FIFTH COMMITTEE OF THE 65TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY ON NOVEMBER 10, 2010

Mr. Chairman,

At the outset, my delegation thanks 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. We also thank the United Nations Ombudsman, Mr. Johnston Barkat, for introducing the report of the Secretary General on the activities of his Office. We convey our appreciation to Ms. Susan Mclurg, the Chairperson of the Advisory Committee on Administrative and Budgetary Questions (ACABQ), for introducing the related report of the advisory committee. We further thank the Vice-President of the Staff-Management Coordination Committee (SMCC), Ms. Paulina Analena for her statement.
My delegation aligns itself with the statement made by Yemen on behalf of the Group of 77 and China.

Mr. Chairman,

My delegation is encouraged with the progress recorded by the new system of internal justice since its birth in July 2009. Even in the short time that the system has been operational, it is evident that it represents a marked improvement over its predecessor. Some of the benefits from the new system are already visible. We particularly welcome the timelier disposition of cases since last year with finalization of a case taking an average of six months. The new system accords primacy of place to the fundamental axiom of “justice delayed is justice denied.”

In this regard, we would like to place on record our appreciation of the commendable effort and dedication demonstrated by the judges and staff in navigating the transition from the old system.

Mr. Chairman,

We remain supportive of informal conflict resolution through the use of ombudsman and mediation services as a first step of recourse under the new system. These efforts should be further strengthened, so as to enhance accountability and have a positive impact on human resources management by facilitating speedier resolution of disputes and promoting mutual trust, harmony and understanding between the staff and the management.

We share the disappointment of the ACABQ with regard to delays in finalizing cost sharing agreements with the funds and programmes. We reiterate paragraph 62 of resolution 62/228, wherein the General Assembly had approved the cost sharing arrangement for the new system of administration of justice on the basis of “headcount” approach, rather than on the basis of actual cases disposed, as proposed by the funds and programmes. We urge the Secretary-General to expedite early conclusion of the cost-sharing arrangement.

Mr. Chairman,

My delegation broadly concurs with the ACABQ’s reasoning that any meaningful assessment of the new system would require more time and experience before a determination on what more needs to be done is taken. Nevertheless, we remain open to considering specific resource requests on a case-by-case basis. We further support strengthening of the Office of Staff Legal Assistance as we believe that the continued availability of legal assistance to staff is crucial to the efficacy of the new system.
We have noted the Secretary-General’s requests for adequate funds for translation and interpretation services, and for granting travel entitlements to the Appeals Tribunal judges based on that provided to former judges of the United Nations Administrative Tribunal.

Mr. Chairman,

In concluding, it must be underscored that the new system will ultimately be judged by the confidence it inspires amongst Staff that their grievances will be addressed professionally, fairly and in a timely manner. We further hope that the new system of administration of justice would remain consistent with the outcome of the overall reform of human resources management within the United Nations System.

A good beginning has been made. Let us build on it so as to meet the goal of an independent, transparent, professionalized, adequately resourced and decentralized system of internal justice.

I thank you, Mr. Chairman.