



# Bangladesh

Please check against delivery

Statement by Mr. Muhammad A. Muhith, Counsellor  
of the Permanent Mission of Bangladesh to the UN in NY  
at the Fifth Committee of the 62<sup>nd</sup> Session of the UNGA  
on Agenda Item 137: Administration of Justice at the United Nations  
New York, 05 November 2007

**Mr. Chairman,**

I take this opportunity to thank the Under-Secretary-General for Management Ms. Alicia Barcena for introducing Secretary General's report A/61/294. I also thank the Chairman of the ACABQ Mr. Rajat Saha for presenting his Committee's report A/62/7/Add.7.

Thanks are also owed to Acting Ombudsman, Ms. Nora Galer for introducing report A/62/311. In this regard, it would be remiss of me if I fail to express my delegation's deep appreciation for the services rendered by Ms. M. Patricia Durrant of Jamaica as the first United Nations Ombudsman whose tenure ended in last July.

My delegation aligns itself with the statement made by the distinguished representative of Pakistan on behalf of Group of 77 and China. I would however make some additional remarks.

**Mr. Chairman,**

In her first formal address to the Fifth Committee after her appointment, USG Barcena, on 22<sup>nd</sup> March this year, while introducing SG's note A/61/758 on the recommendations of the Redesign Panel, as requested by GA in resolution 59/283, laid out for the members of the Fifth Committee the rationale for the first fundamental overhaul of the UN's internal justice system in nearly 60 years. Meanwhile, in April, the GA has adopted resolution 61/261 which in my delegation's view provides comprehensive guidelines towards this long awaited reform, at the heart of which will be a new, independent, transparent, professionalized, adequately resourced and decentralized system of administration of justice for the UN and that will gradually replace an outmoded, dysfunctional and ineffective system which continued to fuel discontent among many.

We also believe that an effective human resources reform will not be possible without a fair and just system of administration of justice and therefore my delegation attaches great importance to this agenda item. While my delegation is optimistic at the momentum and progress made so far, it shares its concern with that of the ACABQ that the establishment of such a robust and multifaceted system is being envisaged without the benefit of any real experience in a comparable setting. We therefore need to consider the issue with utmost caution.

One of the fundamental aspects of the administration of justice is that it should enjoy the confidence and trust, *inter alia*, of both staff and management. We are delighted to note the SG's comment that he has sought to reflect in the current report, to the greatest extent possible, a united position based on the collective agreement of staff, management and of the funds and programmes. We appreciate the efforts undertaken by all concerned to reach by and large a common ground.

**Mr. Chairman,**

It will be only appropriate to underscore the undeniable need of education and training for the successful operation of the new internal justice system. And, therefore, intensive training should be provided to all persons involved in the system which should be followed up by thorough monitoring and evaluation. The General Assembly in resolution 61/261 expressed its concern at the lack of training or qualifications of the overwhelming majority of individuals serving in the system of administration of justice. My delegation would expect detailed information on training and educational aspects which are supposed to be dealt with in 2008 and related resource requirements.

We have studied with interest the report on the activities of the Ombudsman which has provided an overview of the first five year of the Office's operation. My delegation believes that this Office, being the first of its kind in the UN, has been ably providing a mechanism to UN staffs for informal resolution of employment-related conflicts. Since starting its operation in 2002, the ever increasing number of cases submitted to the Office for resolution testifies the necessity of the Office as a catalyst for change.

Resolution 61/261 emphasized the role of the Ombudsman to report on broad systemic issues. In this connection, we note with concern the recommendations of the Office those remained unaddressed and as it apprehends, can be the sources of conflicts. Some of those systemic issues which appear important to my delegation are related to: i. staff selection system and recruitment procedure, which lack transparency or the basis of merit and therefore have the potential to foster deep dissatisfaction, ii. the lack of sufficient integration between the two major objectives of mobility programme such as development of a multi-skilled and versatile staff and opportunities for varied career opportunities for them, and, iii. the current contractual arrangements which as identified by the Office remains as a major source of concern. We look forward to receiving information from the Secretariat on these issues.

We also look forward to discussing in details the issues, *inter alia*, the scope of the new system, management evaluation process, placement of management evaluation unit in the Secretariat, the level of the Executive Director, the nomination and selection of judges, the post and resource requirements etc. during the informal consultations. My delegation will seek more clarification on the issue of administration of justice in the peacekeeping missions as this area has not been adequately touched upon.

I thank you Mr. Chairman.

---