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Item 137 Administration of Justice at the United Nations

Statement by H.E. Robert Hill
Ambassador and Permanent Representative
Permanent Mission of Australia to the United Nations

On behalf of Canada, Australia and New Zealand

(Check against delivery)

Mr Chairman,

I have the honour to speak on behalf of Canada, New Zealand and Australia. We thank Ms Barcena, USG for Management, Ms Galer, the Acting Ombudsman, and Mr. Saha of the ACABQ for the introduction of their respective reports. We also thank members of the Sixth Committee for their ongoing consideration of the legal matters that fall within their purview, and look forward to the outcome of their deliberations.

Mr. Chairman,

The staff members of the United Nations should have access to a fair and efficient system of internal justice that is transparent, impartial and consistent with the principles of the rule of law and due process. CANZ therefore attaches great importance to the reform of the Administration of Justice system. A properly functioning system of internal justice underpins all efforts to strengthen accountability, oversight and human resources reforms.

In April, the General Assembly in its Resolution 61/261 responded to the recommendations made by the Redesign Panel in deciding to establish a new, independent, transparent, professionalised system of Administration of Justice, and requested the Secretary-General to provide detailed proposals on the implementation and resources required.

Mr Chairman,

CANZ is concerned by the cost of the proposed reforms. The report of the ACABQ estimates the total ongoing biennial cost at over \$58 million which seems extraordinarily high. We agree with the ACABQ that the new system should be implemented in a more prudent manner, with the opportunity to learn from experience over time. We would hope that the strengthening of the informal system, in particular the creation of the mediation function, would lead to a reduced need for the formal system in the future.

The ACABQ has suggested some deep cuts in resources, recommending approval of just under half the new posts requested. We are yet to receive details of how this will affect the overall cost of implementation. However CANZ will consider carefully these recommendations to ensure that resources are allocated for the proper functioning of the new system.

The cost sharing arrangements are also an important factor in the funding of the new Administration of Justice system, with one third of staff covered working outside the Secretariat and peacekeeping missions. We understand negotiations in this regard are ongoing with the heads of relevant funds and programmes and would appreciate an update on the status of cost sharing arrangements.

The Secretary-General's report also contains details of disciplinary proceedings that will accompany the new internal justice system. The delegation of authority to heads of mission for disciplinary matters should help eliminate many of the delays experienced in the current system. We note the importance of adequate guidelines for the imposition of sanctions to ensure consistency across all UN offices.

Mr. Chairman,

For the new system to be successful, it must engender the trust of both management and staff. Part of building that trust is to implement the new system of internal justice as scheduled. We agreed in April that it should be up and running by the start of 2009. If we are going to reach that goal, certain decisions need to be made this session. CANZ intends to work constructively with all partners in this regard.

We thank you.