

**Statement by Andrei Terekhov, Executive Director
Office of Administration of Justice**

**Fifth Committee
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10.00 am**

Item 143 of the agenda:

Administration of Justice at the United Nations

- Introduction of the report of the Secretary-General on "Administration of justice at the United Nations" (A/66/275 and Corr.1)

Mr. Chairman,

It gives me great pleasure to introduce to you the report of the Secretary-General on administration of justice.

As in the previous year, the report of the Secretary-General is the result of close cooperation between the Office of Administration of Justice and the relevant stakeholders, including the Department of Management, the Office of Legal Affairs, the Office of Programme Planning, Budget and Accounts, the Office of Human Resources Management, the Management Evaluation Unit, the Offices away from Headquarters, the Regional Commissions and the participating Funds and Programmes, including UNDP, UNICEF, UNHCR and UNOPS.

The report is divided in five main parts, as follows: (1) a review of the formal system of justice; (2) consolidated responses to questions relating to administration of justice asked by the General Assembly in resolutions 65/251; (3) issues relevant to the General Assembly's review of the Statutes of the Tribunals; (4) resource requirements; and (5) conclusions and recommendation for action to be taken by the General Assembly.

The report has three Annexes containing responses to three of the questions raised by the General Assembly in resolution 65/251: the first provides proposals for staff-funded mechanisms to fund OSLA; the second describes a proposal for recourse mechanisms for non-staff personnel; and, the third sets out detailed information on monetary compensation awarded by the Management Evaluation Unit (MEU), the UN Dispute Tribunal (UNDT) and the UN Appeals Tribunal (UNAT), including awards of compensation equal to or exceeding six months' net base salary.

The review of the formal system (Section II) covers the MEU, the UNDT and UNAT, the Office of Staff Legal Assistance, the Office of the Executive Director as well as the Legal Offices representing the Secretary-General as Respondent. While the Secretary-General gives an account of the accomplishments of the new system of administration of justice during the reporting period, including a marked improvement in

efficiency, at the same time, he notes with concern the serious strains the improved efficiency and productivity have put upon the financial and human resources of the offices and units serving the administration of justice system. As the Secretary-General indicated in his report on administration of justice in the sixty-fifth session, there is a need for significant strengthening in a number of key areas in order to maintain the current pace of work and continue to implement all of the Assembly's mandates for the new system.

The second part (Section III) provides detailed responses to specific questions asked by the General Assembly, covering topics that are subject of further discussions during the 66th session. These include: delegation of authority for disciplinary measures; the impact that the new system is having on staff/management relations; cost-sharing arrangements; training of actors in the system; statistics on cases received and disposed of during the period by both Tribunals; and, trends and systemic issues. As mentioned above, responses to three of the questions asked are provided in annexes to the report: proposals for staff-funded mechanisms to fund OSLA (Annex I); a proposal for recourse mechanisms for non-staff personnel (Annex II); and, detailed information on compensation awarded by the Tribunals (Annex III).

In the third main part (Section IV), the Secretary-General raises a number of issues which the General Assembly may wish to take into consideration when reviewing the statutes of the Tribunals. It is emphasized that the discussion of these issues is without prejudice to the principle of judicial independence and that it is up to the General Assembly to decide what action, if any, should be taken in relation to these issues.

In the fourth and fifth parts of the report (sections V and VI) the Secretary-General identifies a number of areas in the formal justice system which require strengthening in order to fulfil the mandate of the new system, and makes recommendations for action to be taken by the General Assembly in this regard.

Before I conclude, let me also draw your attention to a report prepared the Internal Justice Council on the functioning of the new system of administration of justice as requested in by the General Assembly in resolution 65/251. This report is before you as document A/66/158.

Thank you very much.