

< Please Check Against Delivery >

**STATEMENT ON BEHALF OF THE AFRICAN GROUP BY  
MR. JUSTIN KISOKA, MINISTER COUNSELOR AT THE PERMANENT  
MISSION OF THE UNITED REPUBLIC OF TANZANIA TO THE UNITED  
NATIONS ON ITEM 143: ADMINISTRATION OF JUSTICE AT THE  
UNITED NATIONS, AT THE FIFTH COMMITTEE DURING THE MAIN  
PART OF THE SEVENTIETH SESSION OF THE UNITED NATIONS  
GENERAL ASSEMBLY**

[New York, 20<sup>th</sup> October, 2015]

**Mr. Chairman,**

I have the honor to speak on behalf of the Africa Group on agenda item 143, programme budget for the biennium 2014-2015 in particular Administration of justice at the United Nations.

At the outset, the Group would like to thank Ms. Linda Taylor, the Executive Director of the Office of Administration of Justice, for introducing the report of the Administration of Justice at the United Nations, Mr. Barkat, the Assistant Secretary-General, United Nations Ombudsman for introducing the report on the activities of the Office of the United Nations Ombudsman and mediation services as well as Mr. Babou Sene, Vice-Chair of Advisory Committee on Administrative and Budgetary Question, for introducing the Advisory Committee's related report.

The Group fully aligns itself with the statement made by the representative of the Republic of South Africa on behalf of the Group of 77 and China, and wishes to add a few additional remarks.

**Mr. Chairman,**

The Africa Group would like to reaffirm its support to the system of the administration of justice as an essential element in the resolving staff issues in the Organization. We have taken note on the overall positive trust built by the current system which justifies increases in the number of applications and interlocutory orders in the areas related to benefits and entitlements, appointment matters and separation from the service.

The African Group has also taken note on the information related to majority of staff members filing cases with the Dispute and the Appeals tribunals during the reporting period. The Group is concerned that an increment in the application system may likely be an indicator of weak management and poor relations between staff and management that warrant close attention.

The African Group has also taken note that a significant number of cases were resolved informally during the reporting period and were resolved without the need for a final adjudication on the merits. The Group further notes that as at 30 April 2015, about 75 per cent of management evaluation requests received in 2014 had not been pursued beyond the management evaluation stage.

The African Group welcomes and supports efforts to resolve cases prior to litigation, including through enhanced cooperation between the formal and informal parts of the justice system, and encourages continued efforts in that regard.

**Mr. Chairman,**

With regard to the reviews of the formal system of justice, the African Group has taken note of the information related to the management evaluation unit, United Nations Dispute Tribunal, United Nations Appeal Tribunal and the Office of Staff Legal Assistance.

We have also taken note that during the reporting period, the number of judgements and order issues and court sessions held in the Dispute Tribunals in Geneva were considerably lower than those held in New York and Nairobi partly due to the absence of the full time judge in Geneva for most of the year following resignation of one of the full time judge.

The Group welcomes the proposed extension of the three ad litem judges of the Dispute Tribunal and the supporting staff complement in order to keep abreast of the caseload and reduce the time taken for the disposition of the cases.

The Group has also taken a good note that in terms of the types of cases received in 2014, the main issues reported were “job and career”, “evaluative relationships” and “compensation and benefits”, as well as abusive behavior and incivility in the workplace, the continuing imperative to strengthen investigations and the issues faced by staff serving in dangerous places. The Group would like to learn in detail on these issues and measures in place to address the specific situations during information consultations.

**Mr. Chairman,**

The Group is also concerned about the 20 per cent increase of cases involving non-staff personnel and we look forward to seek further clarification on efforts undertaken to resolve the related matter during informal consultations.

With regard to the contribution of the Office of the United Nations Ombudsman and Mediation Services to the progressive development and revision of human resources policies and practices, the group commends the continued involvement of the Office of the United Nations Ombudsman and Mediation Services in the progressive development of human resources policies and practices.

Turning to the implementation of resolution 69/203, while we welcome the efforts taken so far to implement a number of provisions, the Group remains concerned that the report of the Secretary General did not include information on the implementation of paragraph 20 of the same resolution related to the revision terms of reference and guidelines for the Office of the United Nations Ombudsman and Mediation Services. We will be interested to learn the details of this matter during informal consultations.

**Mr. Chairman,**

Before concluding, the Group would like to encourage the Secretary General to ensure that all UN Offices and Departments put measures in place to address the conflicts between staff and the management amicably and in a timely manner. The Group will follow closely on this matter including all the recent cases related to the Economic Commission for Africa in Addis Ababa which has been of serious concern to us.

Allow me to assure you of our Group's readiness to engage constructively on this item during informal consultations with the aim of concluding it in a timely manner.

**I thank you, Mr. Chairman.**