

TO: Ban Ki-moon  
FROM: Eduardo Bauzá  
RE: Resignation as JDC Chairperson  
DATE: 20 November 2008  
CC: Miguel d'Escoto Brockman, Asha-Rose Migiro, Angela Kane, Lin Weicheng

As we are all aware, the internal system for administration of justice, as it currently stands, is extremely slow, underresourced, inefficient and, thus, ultimately ineffective. It also fails to meet many basic standards of due process established in international human rights instruments (see the report of the Redesign Panel on the United Nations system of administration of justice, A/61/205, para. 5).

The Redesign Panel saw no insuperable difficulty in establishing a new system of internal justice that would be fully functional by 1 January 2008 (*ibid.*, para. 140).

The administration, however, lobbied for and obtained from the General Assembly an extension until 1 January 2009 (see General Assembly resolutions 61/261, para. 36, and 62/228, para. 39).

After that extension, there is no valid reason to continue, even as a transitional measure, to rely on this obsolete system. Justice will be much better served by focusing all efforts on launching the new system as soon as possible, and bringing all pending cases before it.

In the interim, there are no arrangements of any kind that the administration can make to ensure that the existing system continues to function satisfactorily, as suggested by the Advisory Committee on Administrative and Budgetary Questions (A/63/545, para. 7). The system is inherently unsatisfactory and has finally outlived its usefulness.

In the light of the above, I must inform you that, once the time limit originally established by the General Assembly has been reached, I cannot in good conscience continue to lend my name in support of the old system. I hereby resign as Chairperson of the Joint Disciplinary Committee, effective 31 December 2008.

Yours truly



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