



United States Mission to the United Nations
799 United Nations Plaza
New York, NY 10017
www.usunnewyork.usmission.gov

**Statement by Cherith Norman Chalet, Minister Counselor
On Agenda Item 145: Administration of Justice
at the Main Session of the Fifth Committee
71st UN General Assembly
October 11, 2016**

[Check Against Delivery]

Thank you, Madam Chair.

I would like to begin by expressing my appreciation to Ms. Linda Taylor, Executive Director of the Office of the Administration of Justice, Mr. Gang Li, Officer-in-Charge of the United Nations Ombudsman and Mediation Service, and Mr. Carlos Ruiz Massieu, Chair of the ACABQ, for introducing their respective reports.

As we begin our consideration of this important agenda item, the United States is pleased to see that in its review the Interim Independent Assessment Panel found that the current Administration of Justice (AoJ) system is more independent, transparent, professional, and decentralized than the former one, and is better equipped to handle the caseload.

It's clear that since its establishment in 2009, the current AoJ system has increased managerial accountability for decisions taken and has empowered staff to seek redress to ensure that justice is served. Nevertheless, as the system evolves, and building on its experiences, the Organization must strive to continuously improve both its formal and informal internal justice systems.

This session, we have the opportunity to take the reports of the Interim Independent Assessment Panel and the Secretary-General and understand them along with the larger agenda item of human resources management. In so doing, this Committee can work to further increase the transparency and accountability of the Organization, and streamline the framework around human resources management to prevent disputes from arising.

In this regard, we recognize the important work of the Office of the United Nations Ombudsman and Mediation Services in both streamlining and rationalizing the administration of justice. We welcome further thinking on how best to leverage this informal system to continue to avoid unnecessary litigation.

My delegation also agrees with the Panel's finding that management evaluations are a critical element of the justice system because they contribute to increased transparency in decision-making and a better understanding of the regulations, rules and procedures among managers.

We note that clear communication and explanation of the Organization's regulations, rules and administrative decisions can effectively serve to prevent workplace disputes that result in litigation. While we note the efforts already undertaken by the Secretary-General in this regard, we urge further work to: increase outreach and awareness those staff members serving in field operations; train managers in best practices and staff in understanding the framework; and, effectively communicate new and revised policies in a timely and effective manner.

Madam Chair,

With regard to the remit of the UN's internal justice system, the United States believes that there should be clear information on dispute resolution for all parties performing work for the UN. However, we do continue to have reservations about extending access to the UN's internal justice system to non-staff personnel. We believe contracts and other agreements with non-staff personnel should continue to make clear how disputes can be resolved. An extension of the UN's internal justice system would result in nearly doubling the number of individuals with access to the system and would require a subsequent doubling of judges, staff, and lawyers working in the AoJ system. Additionally, and apart from the increased workload, the internal justice system would have to assume and adjudicate the numerous legal frameworks of non-staff categories, bearing the financial and legal implications that accompany those additional frameworks. We encourage the Secretary-General to continue to make known, and readily available, information for non-staff personnel on where and how they could seek support/services in the event of a dispute.

In closing, my delegation will continue to support the strengthening of the UN's internal justice system, and we look forward to continued discussion in this committee to address these issues. Our focus should continue to be to prioritize tangible aspects of reform that will result in real improvements to the work of the Administration of Justice with a view to improving the Organization's approach to human resources management.

I thank you, Madam Chair.