



Permanent Mission of Costa Rica to the United Nations – Pro Tempore Presidency

69th Sessions of the General Assembly of the United Nations

**STATEMENT OF THE PERMANENT MISSION OF COSTA RICA TO THE UNITED NATIONS ON
BEHALF OF THE COMMUNITY OF LATIN AMERICAN AND CARRIBEAN STATES, CELAC**

Item 144

Administration of Justice at the UN

New York, 22 October, 2014

-Please check against delivery-

Mr. Chairman

I have the honor to speak on behalf of the Community of Latin-American and Caribbean States, CELAC.

CELAC notes the report of the Secretary-General on the Administration of Justice at the United Nations in document (A / 69/227).

CELAC reiterates its satisfaction with the progress achieved by the administration of justice system since its inception. We are convinced of the positive impact of the system in improving relations between the organization and its staff and their own working performance. CELAC has been consistent in its support of the protection of the basic rights of the Members of the United Nations, in accordance with agreed international standards, and will continue to support all measures that can help the United Nations to become a better employer in order to attract and retain, in turn, the best employees.

The current system of Administration of Justice intends to be independent, transparent, professionalized, adequately resourced and decentralized and to be consistent with the relevant rules of international law and the principles of the rule of law and due process to ensure respect for the rights and obligations of staff members and the accountability of managers and staff members alike.

Mr. Chairman

CELAC would like to recall the important role this Committee has played in making the system of Administration of Justice fully operational through the drafting of the Statutes for both Tribunals and its amendments. It is in that same vein we want to continue contributing with our legal expertise on all the outstanding issues such as those related to the independent evaluation of the system and the access to the justice system for persons with disabilities, and other measures available for addressing disputes.

CELAC notes the conclusions and actions presented by the Secretary General in his report A/69/227, and invites members of the Sixth Committee to review its recommendations and proposals- The Community believes that this debate should take into account the basic principles of independence, transparency, professionalism and decentralization, together with the principles of legality and due process.

We note that the number of new cases in the formal system has not increased since 2009, as noted in the Report of the SG, as we note the rise in requests for internal evaluation, as well as in the number of cases brought before the United Nations Dispute Tribunal in 2013.

CELAC also noted the decline in new cases before the Appeals Tribunal during 2013.

We welcome the proposals presented by the Secretary General in his report contained in document A/69/227 of 1st August, 2014 , submitted for its discussion by the General Assembly and pledge our contribution to the deliberation of these important documents as part of the responsibilities of the Sixth Committee. In particular we attach the greatest importance to the revised proposal to conduct an independent interim evaluation on all aspects of the justice system, paying special attention to the formal system and its relation to the informal system.

Mr. Chairman

CELAC supports the Office of the Staff's Legal Assistance which has been performing a vital task to support staff through representation, advice and other legal services; for those reasons we take note of the proposal of a Mechanism for additional voluntary funding for the Office of Staff Legal Assistance, submitted by the Secretary General to be considered by the General Assembly in order to complement the work of OSLA. CELAC is of the opinion that these plans should be complementary and should take fully into account the views of stakeholders.

We reiterate that the Internal Justice Council continues to play an important role in the system to help ensure independence, professionalism and accountability. We wish to encourage the Council to continue to provide their views and contributions on the application of the system of justice within the scope of its mandate, as set out in paragraph 37 of resolution 62/228 , adopted by the General Assembly at its sixty-second session.

CELAC attaches great importance to the issue of cases where the persons hired by the UN System, do not qualified as "officials" of the UN or any of its specialized agencies, and ultimately are excluded from the formal system of administration of justice of the UN and from the labor process in each country. Therefore we take note of the information provided with respect to disputes involving the staff and non-staff and the established measures to institutionalize good management practices to prevent or mitigate disputes that are parties to various categories of staff, that has been submitted by the Secretary General , and we are ready to contribute in their analysis.

Mr. Chairman

We would also like to recognize the work of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal which have actively been carrying out their functions and demonstrated their firm commitment to contribute to justice at the United Nations. We note that the volume of work is substantive. We are ready to explore new ways to improve the use of the informal system like the work of the Mediation Division.

CELAC also stresses the importance of the management evaluation unit process as it provides the Administration with the opportunity to prevent unnecessary litigation before the Dispute Tribunal.

Regarding the work of the Office of the United Nations Ombudsman and Mediation Services, CELAC emphasizes that the informal resolution of conflict is a crucial element of the internal system of Administration of Justice. We call upon the implementation of incentives intended to encourage more recourse to informal resolution. CELAC believes more should be done to promote a culture of trust and conflict prevention throughout the Organization.

In that sense we would request to the Secretary-General to ensure that the structure of the Office of the Ombudsman and Mediation Services not only reflects its responsibility for the oversight of the entire integrated office, but counts with the necessary support for performing its job reinforcing due process within the Organization and ensuring accountability and transparency in decision-making process by holding managers accountable for their actions, in accordance with the relevant resolutions of the General Assembly.

It is very important that the Sixth Committee continue to coordinate and cooperate closely with the 5th Committee to ensure an appropriate division of labor and avoid overlaps or encroachment of mandates.

Mr. Chairman

CELAC would like to restate its determination to work constructively to continue supporting the implementation of the internal system of administration of justice at the United Nations, and in that sense looks forward to working with other delegations to this effect.

Thank you.

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