



PERMANENT MISSION
OF THE KINGDOM OF TONGA
TO THE UNITED NATIONS

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Statement by Dr. T. Suka Mangisi, Charge' d'Affaires a.i. and Deputy Permanent Representative of the Kingdom of Tonga to the United Nations On Agenda Item 144: Administration of Justice at the United Nations, at the Sixth Committee of the 69th Session of the United Nations General Assembly New York, Tuesday, 21 October 2014

Mr. Chairman,

Tonga attaches great importance to the development of a fair, transparent and efficient system of administration of justice at the United Nations, and we commend the Secretary-General on the progress and achievements made in this area since 2009.

We thank the Secretary-General for the reports before the Sixth Committee on the Administration of Justice at the United Nations and the Activities of the Office of the United Nations Ombudsman and Mediation Services, and the report of the International Justice Council on the Administration of Justice at the United Nations.

We also acknowledge the staff and judges of the Tribunals, the Management Evaluation Unit, the Office of Staff Legal Assistance, the Ombudsman and Mediation Services, and the Office of the Executive Director for their commitment to the administration of justice at the United Nations.

Mr. Chairman,

It is right that the United Nations, as the embodiment of our collective aspirations for a peaceful, fair and just global society, put into practice internally those values that we espouse externally.

The reports before the Sixth Committee today are evidence of an increasingly efficient and effective system of administration of justice at the United Nations; but they also highlight continuing challenges. Tonga emphasizes that all elements of the system of administration of justice must work in accordance with the Charter of the United Nations and the legal and regulatory framework approved by the General Assembly.

Tonga also wishes to emphasize the importance of the principle of judicial independence in the system of administration of justice at the United Nations. We also note and support the view that all staff members should have access to administration of justice, regardless of their duty station.

Mr. Chairman,

Tonga views the existence of an independent, transparent, professionalized, adequately resourced and decentralized system of administration of justice consistent with the relevant rules of international law and the principles of the rule of law and due process as essential to ensure respect for the rights and obligations of staff members and the accountability of managers and staff members. We commend the work of the Secretary-General undertaken in this regard.

In particular, Tonga supports the approval of the proposed code of professional conduct for external legal representatives contained in the Secretary-General's report A/69/227. The implementation of the code will benefit the Organization as a whole, and reduce any risk of partiality or dependence in the administration of justice at the United Nations.

Tonga also recognizes the importance for the Organization of addressing the accountability of individuals where violations of the Organization's rules and procedures have led to the financial loss. Such violations run against the interests of all member states, and the Organization as a whole, and should not be allowed to go undetected. In this regard, Tonga supports the Secretary-General's proposed mechanism contained in A/69/227 for addressing potential complaints under the code of conduct for the judges of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal.

Mr. Chairman,

Tonga is convinced that a continued commitment to informal dispute resolution processes is crucial to the success of the administration of justice at the United Nations.

During the 68th session, Tonga noted with concern the under-resourcing of the Office of Staff Legal Assistance, which plays a pivotal role in the efficient administration of justice, including by encouraging recourse to the informal system of justice, by declining representation in unmeritorious cases and by encouraging settlement, where appropriate, of cases that are before the Tribunals.

We support the implementation of the voluntary supplemental funding mechanism promulgated by resolution 68/254 as a way to address funding uncertainty, and await the final report on the initial stage of implementation of this system with anticipation. We recognize the benefit to the Organization as a whole of ensuring the Office of Staff Legal Assistance is adequately resourced.

Mr Chair

Tonga also welcomes the Secretary-General's revised proposal for an independent assessment of the system for administration of justice, with the goal of determining whether the aims and objectives of the system set out in resolution 61/261 are being achieved in an efficient and cost-effective manner. In addition, Tonga wishes to set out its support of the upgraded search engine that facilitates streamlined access to the jurisprudence and outcomes of past relevant cases.

Finally, Mr Chair, Tonga notes the importance of continuing to disseminate lessons learned from the administration of justice at the United Nations, to promote best practice by managers and others within the Organization, and to guide Member states in the promotion of good governance and effective dispute resolution at the regional and domestic levels.

We are ready to discuss these matters, and other issues raised by the Secretary- General in relation to the administration of justice at the United Nations.

I thank you Sir.