

**UNGA72 6<sup>th</sup> Committee**

**CANZ Statement – Administration of Justice**

**United Nations Headquarters**

**New York, New York**

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Chairperson,

I have the honour to speak today on behalf of Australia and New Zealand as well as my own country, Canada.

Since the establishment of the administration of justice system in 2009, CANZ has recognized the important steps that have been taken towards building an effective, fair, and impartial internal justice system. The UN speaks with the voice of the world, and everyone in this room depends on the excellent work done by the staff of the UN. Because of this, CANZ will continue to support an administration of justice system that allows the Organization to produce its best work, as well as ensuring that the UN continues to attract and retain the best and most qualified professionals from around the world.

We commend the inclusion of a “Code of Conduct for Legal Representatives and litigants in Person” in the Annex to General Assembly Resolution 71/266. We supported the request in the 2014 General Assembly for the Secretary General to submit such a Code. We believe it will help to ensure that all individuals acting as legal representatives for the UN are held to the same high standards of professional conduct.

We note that, in 2016, the majority of staff members filing cases with the United Nations Dispute Tribunal continued to be self-represented. No matter how intelligent or hard-working a person is, navigating a complex labour dispute with such a large organization can be daunting and overwhelming. At the same time, it is essential that the UN has a system that allows its human resources professionals to effectively manage employees who are not meeting the high standards of the UN. On the basis of previous reports of the Secretary-General, it appears that only 1% of UN staff received ratings suggesting they were underperforming, in part because managers feared employees lodging complaints that would not be dealt expeditiously and justly through the internal justice system. CANZ believes we need to continue to improve performance management and the internal dispute resolution systems in order to meet the needs of UN employees, while helping to create an efficient and dynamic UN.

We also note that the Report of the Internal Justice Council recognised the existence of concerns relating to the reality, and appearance, of the independence of the judges of the UN Dispute Tribunal and the Appeals Tribunal. The report notes, and I quote, ‘if the system is structured in

ways that give the impression that the Administration controls or is in charge of the Tribunals and the judges, it compromises the trust that litigants must have that the judges will render an impartial opinion based on the facts and applicable law, not the wishes of management.' We agree that the independence of the judges is something that is critical to the credibility of the administration of justice by the UN.

In this context, CANZ looks forward to further reporting from the Secretary-General on strengthening and monitoring accountability in the United Nation's system of administration of justice, as was requested in Resolution 71/266. We thank the Secretary-General for providing the compilation setting out the categories of non-staff personnel and the remedies available to them, including figures for the types of remedies used since 2009. This information will be useful in further examining the ongoing issues relating to non-staff personnel and identifying where the system can be strengthened.

We recognize that the development of a transparent, fair, and efficient system is not going to happen overnight. This is going to be an ongoing project, and one that is going to continue to require long-term support and commitment by all of us. This is an area in which no one country has a perfect solution, and we believe it is fair to say that every state, in their own way, struggles with the challenges of developing fair and accountable systems for the administration of justice within their own countries. CANZ believes we are going to have to work together, sharing our ideas and experience, in order to support this important work. We believe it important that the UN internal justice system reflect and embody the values of the UN but also support the Secretary-General's reform agenda. CANZ looks forward to engaging constructively with you all on these issues, and with our colleagues on the Fifth Committee.

Thank you.