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SIXTH COMMITTEE

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Administration of justice at the United Nations (Agenda item 147)

Statement by Mr Cary Scott-Kemmis, Legal Adviser, Permanent Mission of Australia to the United Nations (delivered on behalf of Canada, Australia and New Zealand)

(Check against delivery)

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

The impartial, fair and effective administration of justice is essential to the success of the United Nations: enabling its staff to perform to the best of their abilities; attracting and retaining global talent; and ensuring the organisation upholds its own ideals.

The principles of justice and the rule of law are core principles of the United Nations system. It is critical that these principles are reflected in the UN's internal system of administering justice. In addition to principles of due process, transparency and judicial independence.

CANZ supports the continuing efforts to develop and improve this system.

CANZ thanks the Secretary-General and the Internal Justice Council for their reports.

We strongly support the recommendation by the Internal Justice Council that the Secretary-General further strengthen the capacity of the United Nations to investigate claims of sexual harassment and to implement fair and efficient procedures to address complaints.

We note the Secretary-General's zero tolerance approach to sexual harassment and emphasise that the reporting, protection and support procedures at the United Nations must demonstrate, in practice, the seriousness with which the need to eradicate and prevent sexual harassment is regarded.

We note the Secretary-General's observation that the time it takes for the Dispute Tribunal to process a case has grown; as well as the Internal Justice Council's comments on the backlog of cases that have recently arisen.

While acknowledging that a number of factors contribute to the accumulated caseload, CANZ sees merit in the Internal Justice Council's recommendations for promoting judicial and operational efficiency, in particular, encouraging a more active approach to judicial case management.

We remain concerned about the issue of access of non-staff personnel to grievance resolution mechanisms within the United Nations.

We thank the Secretary-General for providing a comprehensive analysis of the remedies available to non-staff personnel and for the initiative of a pilot project to offer non-staff personnel access to the informal dispute resolution services as part of the mandate of the Office of the United Nations Ombudsman and Mediation Services.

We think this initiative will be a useful way of gathering more information about the number and types of grievances of non-staff personnel.

CANZ considers it important that the Secretary-General's management reform agenda continues to align with the efforts to strengthen the administration of justice. CANZ expects these reforms to deliver strong and accountable leadership, including in financial and performance management.

This should include implementing human resources management policies and processes supported by an effective performance management system that holds all staff to account for their actions, including recognising high performance and appropriately addressing underperformance.

It must also include best practice anti-corruption, anti-fraud and whistle-blowing policies and practices, and protect whistle-blowers from retaliation. The administration of justice system is an integral component of this framework and necessary for achieving meaningful reform.

It is up to all Member States and the United Nations to work together to ensure that the administration of justice within the United Nations system is impartial, effective, fair and timely.

We look forward to continuing to engage constructively on these important issues.

Thank you.