



Statement on behalf of The Kingdom of the Netherlands

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Ministry of Foreign Affairs

agenda Item 147

Administration of Justice

at the Sixth Committee

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Mr. President,

Thank you for giving me the floor, and let me first align myself with the statement made by the European Union on behalf of the EU and its Member States.

At the outset, my delegation would like to thank the Secretary-General for his reports on the Activities of the Office of the UN Ombudsman and Mediation Services and on the Administration of Justice. Let me also thank the Internal Justice Council for their report which includes the Report of the President of the UNAT and the President of the United Nations Dispute Tribunal, Judge Teresa da Silva Bravo, for which my Government thanks her.

[Introduction]

Mr. President,

I would like to address:

1. Report of the UN Ombudsperson
2. The report of the Secretary-General, followed by
3. Some concluding remarks

[Report of the UN Ombudsperson and Mediation Services]

The services offered by the UN ombudsperson provide a safe, accessible and cost effective way, for all staff members to discuss any kind of workplace-related concern. In this regard, we welcome the pilot project initiated last year that offers access to informal dispute-resolution services to non-staff members.

We note that the preliminary assessment of cases put forward by non-staff members, concern the same issues as put forward by UN staff members. Whether or not we should therefore apply the same approach to, and open the formal procedure for, non-staff members is however, still too early to say. We therefore support the proposal of the UN Ombudsperson to continue the pilot and to assess the type of issues put forward by non-staff members, including the best recourse to those issues.

On the systemic observations of the UN Ombudsperson, we note with concern that systemic issues previously reported, continue to remain and are not properly addressed, such as the abrasive management style that has an increasingly serious impact on staff, including their physical and mental well-being.

We note with appreciation the work of the regional ombudsman offices and their visits to field missions. This increases the access to conflict prevention and conflict resolution services for staff away from the headquarters.

We particularly welcome the attention given to the needs of female staff members who serve in the field under often challenging and difficult conditions. We appreciate that the focus of the office's work is to convey the voices of staff not otherwise heard, and by doing so initiating behavioral and mindset change thus contributing to preventing conflicts in the workplace and providing a safe work environment.

[Report on the Administration of Justice]

We would like to congratulate Judges Joële Adda, Francis Belle, Francesco Buffa, Eleanor Donaldson-Honeywell, Rachel Sophie Sikwese, and Margaret Tibulya on their appointment by the General Assembly to the United Nations Dispute Tribunal and judges Graeme Colgan, Jean-Francois Neven and Kanwaldeep Sandhu for their appointment in the United Nations Appeals Tribunals. We wish them the best of success in the execution of their office.

We hope that with the new appointment in the UNDT, the functioning of the UNDT will further professionalize, and they are able to address of the backlog in cases on the docket of the UNDT expeditiously.

And I would like to thank my distinguished colleague from the Gambia for his statement, on behalf of the African group and the issues raised by him in his statement that my delegation fully support.

The Kingdom of the Netherlands notes with concerns that the number of judgements for 2018 is the third lowest of the past 10 years, while at the same time number of applications is at its highest level.

We thank President Da Silva Bravo for the speed and diligence with which she took up her office as President and the speed with which she disposed these cases. Let me voice to President Da Silva Bravo, the support of the Kingdom of the Netherlands to her as President of the UN Dispute Tribunal. We support her efforts to implement a backlog disposal plan and that we stand ready to support her in any way she deems necessary. We would also like to call on her to continue as President UNDT in 2020.

While we have confident in the new member of the Dispute Tribunal, we have to address what went wrong in the past and in order to avoid such a situation moving forward. We would therefore propose:

- (I) Not to close this agenda item at the end of our deliberations so that the General Assembly can remain seized on the issue. We simply cannot afford to wait a whole year before we can intervene;
- (II) Request the Secretary-General to report on a monthly basis on the number of judgements of the Dispute Tribunal, broken down by the judgements delivered by each judge. This should not be a problem as this information has been provided to the Fifth Committee, and to report on the implementation of the backlog disposal plan;

- (III) Request President Da Silva Bravo to report to the General Assembly, through the Internal Justice Council, on the progress of work and anything that impedes her work as President, every three months;
- (IV) A procedure to prematurely end the mandated term in office of a duly elected President of both Tribunals
- (V) Amend the Code of Conduct of Judges as to include an oath of office for judges.

We look forward to engage with member states in the informal consultations and to the informal briefing of the Secretariat

I thank you Mr President.