



PHILIPPINES

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**STATEMENT ON AGENDA ITEM 143: ADMINISTRATION OF JUSTICE AT THE
UNITED NATIONS AT THE MAIN PART OF THE SIXTY-EIGHTH SESSION OF
THE FIFTH COMMITTEE OF THE GENERAL ASSEMBLY**

(New York, 18 October 2013)

Mr. Chairman,

I have the honor to deliver on behalf of the Philippines, this statement on Agenda Item 143 on administration of justice at the United Nations. We align ourselves with the Statement of Fiji, on behalf of the Group of 77 and China.

We thank Assistant Secretary-General Mr. Johnston Barkat, United Nations Ombudsman for introducing the report on the activities of the Offices of the Ombudsman and Mediation Services; Ms. Linda Taylor, the Executive Director of the Office of Administration of Justice for introducing the report on administration of justice at the United Nations; and Mr. Carlos Ruiz Massieu, for introducing the related report of the ACABQ.

Mr. Chairman,

In 2007, the General Assembly resolved to create a new system of administration of justice, which became operational in 2009. We now have a new system that continues to evolve and some trends are emerging. Jurisprudence is growing and this should lead to clearer guidelines on policy, procedure and interpretation of regulations. We hope an increased clarity on outcomes of disputes will shorten the time on decision-making and processing of cases throughout all stages in the formal dispute resolution mechanism, as well as encourage an aggrieved staff to avail of the informal avenues of resolution and settlement of disputes.

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We note the efforts of the Management Evaluation Unit to institutionalize good management practices to address underlying factors giving rise to disputes especially on the most common causes of action. It may be observed that in addition, clarity and simplicity of language on rules, regulations, terms of contracts and appointments are also essential to a preventive approach to disputes.

We wish to voice our concern that there are cases brought by staff arising from disability, accessibility, reasonable accommodation and assistive technology. We look forward to the Secretary's Bulletin that will establish a framework for a working environment called for by the Convention on the Rights of Persons with Disabilities.

On the Office of Ombudsman and Mediation Services, we are concerned with the seeming lack of specialization in the distribution of work among staff across the 3 areas of conflict resolution, systemic issues, and conflict competence; as well we note the lack of clarity on the required professional experience. We look forward to the revised terms of reference of the Office, which has been subject of previous requests and scheduled to be available later this year.

We also look forward to the draft code of conduct for external legal representatives, which was requested during the last session for presentation during this session and which is now scheduled to be available at the 69th Session.

Other issues of interest to my delegation include the financing of the Office of Staff Legal Assistance and accountability for actions in violation of rules and procedures of the Organization that lead to financial loss.

In light of all these ongoing concerns, we agree with the view on the need for an interim independent assessment of the formal system within existing resources and note its timeliness - by next year, the new system will be operational for 5 years.

Mr. Chairman,

We look forward to more in depth discussions and engagement on this agenda item.

Thank you.