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UNITED NATIONS GENERAL ASSEMBLY SIXTH COMMITTEE: ADMINISTRATION OF JUSTICE AT THE UNITED NATIONS

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Statement by Canada, Australia and New Zealand (CANZ)

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

CANZ has continued to support the importance of building an effective, fair, transparent, and impartial internal justice system at the United Nations (UN) since the administration of justice system first commenced in 2009.

Effective administration of justice allows the UN to produce its best work, attracting and retaining the most qualified professionals from around the world, and ensuring that the Organisation upholds its own ideals and values.

CANZ thanks the Secretary-General, the Office of the United Nations Ombudsman and Mediation Services and the International Justice Council for their reports.

CANZ notes with concern recurring issues raised in these reports, including an ongoing backlog of cases, continued high rates of self-representation, concerns with efficiency, and underlying systemic issues, including those related to gender and race.

We are pleased, however, to note some positive developments.

CANZ commends the work that has taken place ensuring greater access to jurisprudence, including the work of the Office of Administration of Justice on the searchable database of judgments and orders, following the successful publication the Digest of Case Law of the UN Dispute Tribunal and the UN Appeals Tribunal. Increased access to existing law supports a fair and transparent system.

CANZ welcomes the Secretary-General's work to identify how the jurisdictional set-up of the UN can best be reformed to help ensure better cohesion of the UN common system, including by providing information on any divergence in the jurisprudence of the two tribunals on matters relating to the International Civil Service Commission.

CANZ also notes the valuable outreach initiatives that have been conducted by the Office of Administration and Justice, the Office of the United Nations Ombudsman and Mediation Services and other offices and departments, especially given the difficulty of holding in-person events in the context of the COVID-19 pandemic.

While there remains a significant backlog of cases in the formal administration of justice system, CANZ notes with appreciation the efforts made to reduce this backlog.

CANZ takes note of the International Justice Council's recommendations addressing this concern, including: amending the Tribunals' statutes to provide for a longer appointment of the President of the Tribunal by the General Assembly rather than an annual rotating presidency; and to adopt judicial mediation as a dispute resolution tool.

The Office of the United Nations Ombudsman and Mediation Services has identified systemic issues underlying workplace conflicts, in particular noting work that has taken place as part of the call to address racism in the UN.

CANZ is deeply concerned about the harm that is caused to individuals and to the organization by racist, sexist, and other discriminatory attitudes and behaviours. CANZ commends the UN Secretary-General's commitment to organisational action to guarantee the equal treatment and full inclusion of all United Nations staff in the context of responding to racism and promoting dignity for all.

CANZ also notes the International Justice Council's discussion of underlying structural and cultural problems related to gender, race and access to justice, and is pleased to see that the Council intends to continue discussing these issues and will address them further in their next report.

Of course, as with all international legal institutions, ongoing and significant efforts to ensure gender equity and representation within the UN internal justice administration will be crucial to strengthen the quality of justice delivered.

The Office of the United Nations Ombudsman and Mediation Services has identified effects of the COVID-19 pandemic as a key concern, creating issues both within the workplace and outside of it. CANZ welcomes the Office's comments, noting with appreciation the emphasis on the importance of good management during times of crisis to avoid workplace conflicts and additional strain on staff.

In these unprecedented times, CANZ is also pleased to see that attention has been drawn to the needs of non-staff personnel, who work side-by-side with and experience the same workplace concerns as regular staff personnel.

CANZ welcomes the efforts made by the Office to improve the working environment at the UN so that all staff members can thrive in an atmosphere of dignity and mutual respect.

We note with appreciation the Office's contribution to the civility initiative, including the events rolled out across 2020 and continuing into 2021.

Improving workplace environments, including virtual environments, leads to better morale and productivity of staff members, in addition to preventing some workplace conflicts.

It is up to all Member States and the UN to work together to ensure the development of a transparent, fair, impartial and efficient system of administration of justice.

CANZ countries will continue to engage constructively with Member States on this important issue.

Thank you.