



Statement on behalf of the European Union and its Member States

By

Ms. Simona Popan, Counsellor, Delegation of the European Union to the United Nations

at the Sixth Committee

**on the Agenda item 147:
"Administration of justice"**

United Nations

New York

15 October 2021

– CHECK AGAINST DELIVERY –

Mr./Madam Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries Turkey, the Republic of North Macedonia*, Montenegro*, Serbia* and Albania*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as Ukraine, the Republic of Moldova and Georgia, align themselves with this statement.

We thank the Secretary-General, the Internal Justice Council, and the Office of the United Nations Ombudsperson and Mediation Services for their reports.

Rule of law at the international and national level is premised on an effective system of administration of justice. The quality of the system of administration of justice speaks to the image and credibility of the organization. An independent, impartial, transparent and professional system is not only a prerequisite for the rule of law, but also for protecting individual rights, including the right to work in a professional environment free of harassment and retaliation. The organisation has made important progress, as shown in the last reports. Yet there is scope for more, in particular with regard to non-staff personnel.

In that connection, we would like to stress the following:

First, with regard to **staff personnel**, we express appreciation for the work of the Office of Administration of Justice, the United Nations Disputes Tribunal (UNDT) and the United Nations Appeals Tribunal (UNAT). We encourage them to continue the positive trend of reducing the backlog of cases. At the same time, we remain concerned over the culture of harassment and abuse directed at female managers at senior and other levels, as well as the retaliation policy against staff members who lodge cases before the Tribunals. Harassment, sexual harassment and retaliation are unacceptable in the workplace and should not be tolerated. We look forward to the separate report of the Secretary-General on this matter. Staff engagement is linked to staff welfare. That is why promoting a healthy working

* *The Republic of North Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.*

environment is essential to ensuring the organisation - at the Headquarters and elsewhere - delivers on its objectives.

Secondly, we note the **disparity of treatment between staff and non-staff personnel** in terms of access to the formal and informal justice system. While we welcome the continuation of the pilot project that provides access to the services of the Office of Ombudsman and Mediation Services for non-staff personnel, we should indeed, as suggested in the report, consider regularizing the pilot project and expand the mandate of the Office to include non-staff personnel. Regarding remedies available to non-staff personnel, we encourage continuing the discussions on ways to provide non-staff personnel with access to fair and effective mechanisms for resolving work-related disputes. In that regard, we welcome the examination of a potential collaboration between the UN and a neutral entity that would undertake the role of vetting arbitrators, maintaining the arbitrator rosters, appointing arbitrators and providing certain administrative functions during an arbitration between the UN and non-staff personnel (as advanced in the report). We believe that all categories of staff should have access to justice and to effective remedies. At the same time, we need to look at the root causes of such disputes and address them upstream.

Thirdly, we note that last year, due to the pandemic, we did not consider the **Rules of Procedure of the UNDT and UNAT**. We express readiness to consider them this year.

Last but not least, we express our appreciation to the Office of Staff Legal Assistance, the Ombudsman and Mediation Services, and the Management Evaluation Unit for their steadfast work and efforts to improve the efficiency and transparency of administration of justice within the UN.

I thank you Mr./Madam Chair.