



**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 152:  
"Administration of justice"**

**United Nations**

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**– 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 Serbia\*, Albania\* and the Republic of Moldova, as well as 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.

An independent, transparent, professionalized and adequately resourced and decentralized system of administration of justice is key for ensuring respect for the rights and obligations of both staff and non-staff personnel and the accountability of managers and staff members. It is also key for delivering on the rule of law and for the image and credibility of the Organization.

As shown in the last reports, the Organization has made important progress in the last years, for which all our appreciation. Nevertheless, more needs to be done in particular with regard to non-staff personnel. We are hopeful that this year will bring progress in that regards.

We would like to underline the following issues:

*First*, with regard to the **formal system**, we note the significant reduction of the backlog of pending labour dispute cases, which is indeed commendable. We encourage the United Nations Disputes Tribunal and the United Nations Appeals Tribunal to continue on this positive trend. We note with interest the recommendation of the Internal Justice Council of appointing a dedicated president to each Tribunal, who would be selected by the Council and recommended by the General Assembly, rather than continuing with the current system of rotating presidency.

We also note that disciplinary matters such as those involving harassment or abuse of authority have a significant impact on the work relationships between the staff members and the Organization. Harassment – both sexual and non-sexual - and retaliation are unacceptable in the workplace and should not be tolerated. It is especially concerning that the phenomenon of upward professional harassment continues to be prevalent: several women leaders reported that they seemed to be measured by different standards compared to their male counterparts. The privacy of witnesses and victims must be safeguarded, in particular in harassment cases. Their

personal data should equally be protected. We suggest that the UNDT and UNAT should consider implementing a system whereby anonymity can be granted to victims and witnesses in certain circumstances. In that regard, we would like to mention that the Court of Justice of the European Union may grant anonymity in proceedings brought before it. Thus, where a person has legitimate reasons for keeping their identity or certain information confidential he or she may contact the Court to request that he or she be granted anonymity in the context of that case. This reconciles the principle of open courts and public information with the protection of personal data in sensitive cases.

*Second*, with regard to the **informal system**, we note the disparity of treatment between staff and non-staff personnel in terms of access to the services of the Office of the UN Ombudsman and Mediation Services. Mediation is key in order to avoid unnecessary litigation. However, it remains underutilized. We note with concern that the majority of cases dealt with by the Office are from field operations. 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.

*Third*, with regard to **promoting dignity for all**, we commend the Dignity through Civility campaign aimed at increasing awareness, engaging staff in dialogue and promoting action to improve workplace behaviour. We encourage all personnel who wishes to discuss issues of real or perceived discrimination of all kinds to approach the Office of the UN Ombudsman and Mediation Services. Discrimination on all grounds cannot find a place in the working environment.

We also stress the importance of multilingualism within the system of administration of justice. To ensure equal access to justice, it is important to provide information on informal conflict resolution in the six official languages.

Last but not least, a gender responsive approach to the administration of justice is essential, as the commitment to the protection, promotion and fulfilment of human rights requires addressing and eliminating gender inequality in all areas of society.

To conclude, 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 to improve the efficiency and transparency of administration of justice within the UN.

Thank you.