



*Permanent Mission of El Salvador
to the United Nations*

item 147

Administration of Justice at the United Nations

STATEMENT BY THE PERMANENT MISSION OF THE EL SALVADOR TO THE UNITED NATIONS ON BEHALF OF THE COMMUNITY OF LATIN AMERICAN AND CARIBBEAN STATES (CELAC)

73 SESSION

New York, 10 October 2018

Mr. President,

I have the honor to speak on behalf of the 33 member States of the Community of Latin American and Caribbean States (CELAC).

CELAC takes note of the report of the Secretary-General on "Administration of Justice at the United Nations", document A /73/217, which contains information about the functioning of the system of administration of justice in 2017.

Mr. President,

As stated in previous sessions, the Community of Latin America and the Caribbean States expresses its satisfaction with the progress achieved by the Administration of the Justice System since its inception. We are convinced of its positive impact on improving relations between the organization and its staff and their own working performance.

The current system of Administration of Justice intends to be independent, transparent, professionalized, adequately resourced and decentralized and to be consistent with the relevant rules of international law and the principles of the rule of law and due process to ensure respect for the rights and obligations of staff members and the accountability of managers and staff members alike.

The members of CELAC express their support for the protection of the human rights of United Nations staff members, in accordance with agreed international standards, as well

as all those measures that would help the United Nations to become a better employer for the purpose of attracting and retaining the best employees.

Mr. Chairman,

We recall the important role this Committee has played in making the system of Administration of Justice operational through the drafting of the Statutes for both Tribunals and its amendments. It is in that same vein we want to continue contributing with our legal expertise on all the outstanding issues such as those related to the independent evaluation of the system and the access to the justice system for persons with disabilities, gender equality and other measures available for addressing disputes.

The member States of CELAC notes the recommendations and proposals presented by the Secretary-General in his report A /73/217 and invites the members of the Sixth Committee to review its recommendations and proposals. We believe that this debate should be based on the basic principles of independence, transparency, professionalism and decentralization, as well as on the principles of legality and due process.

Mr. Chairman,

CELAC supports the Office of Staff's Legal Assistance, which has been performing a vital task through representation, advice and other legal services. We take note with satisfaction that the Office visited the five sub regional offices, to provide invaluable opportunities to inform staff, staff associations and managers about the internal justice system, including the role of the Office.

We reiterate that the Internal Justice Council continues to play an important role in the system to help ensure independence, professionalism and accountability. We wish to encourage the Council to continue to provide its views and contributions on the application of the system of justice within the scope of its mandate, as set out in paragraph 37 of resolution 62/228, adopted by the General Assembly at its sixty-second session.

CELAC takes note of the document A /73/218 containing the report of the new United Nations Internal Justice Council, which sets out a series of recommendations to be implemented by the agencies of the United Nations Administration of Justice and invites all of them to apply these recommendations as soon as possible.

Mr. Chairman,

We would also like to recognize the work of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, which have actively been carrying out their functions and demonstrated their firm commitment to contribute to justice at the



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United Nations. We note the current composition of both Tribunals and countless causes that have served during 2015. We are ready to explore new ways to improve the use of the informal system like the work of the Mediation Division, and encourage proper geographical and gender distribution among for the designation of judges and staff.

CELAC also stresses the importance of the Management Evaluation Unit process as it provides the Administration with the opportunity to prevent unnecessary litigation before the Tribunals.

We take notes the report of the Secretary General contained in document A/73/167, on the activities of the Office of the United Nations Ombudsman and Mediation Services, which provides workplace informal conflict resolution services to the Secretariat, the funds and programs and the Office of the United Nations High Commissioner for Refugees.

Regarding the work of the Office of the United Nations Ombudsman and Mediation Services, the Community of Latin-American and Caribbean States emphasizes that the informal resolution of conflict is a crucial element of the internal system of Administration of Justice. We call upon the implementation of incentives intended to encourage more recourse to informal resolution, encouraged by the justices during the process. CELAC believes more should be done to promote a culture of trust and conflict prevention throughout the Organization.

In that sense, we would reiterate the request to the Secretary-General to ensure that the structure of the Office of the Ombudsman and Mediation Services not only reflects its responsibility for the oversight of the entire integrated office, but counts with the necessary support for performing its job reinforcing due process within the Organization and ensuring accountability and transparency in decision-making process by holding managers accountable for their actions, in accordance with the relevant resolutions of the General Assembly. Office provides institutional capacity to resolve workplace conflicts.

It is very important that the Sixth Committee continue to coordinate and cooperate closely with the 5th Committee to ensure an appropriate division of labor and avoid overlaps or encroachment of mandates.

Mr. Chairman,

CELAC would like to restate its determination to work constructively to continue supporting the implementation of the internal System of Administration of Justice at the United Nations, and in that sense looks forward to working with other delegations to this effect.

Thank you.