STATEMENT OF THE PHILIPPINES

Item 143 - Administration of justice at the United Nations
Sixth Committee, 70th session of the United Nations General Assembly
Monday, 26 October 2015

Thank you, Mr Chairman.

The Philippines would like to thank the Secretary-General and his team, as well
as the Internal Justice Council for their very comprehensive reports on this important subject.

We attach great importance to the system of administration of justice at the United Nations. This is an integral part of an efficient, effective and fair human resource management system. This system, which was introduced in 2009 by Resolution 61/261, and refined by succeeding resolutions, continues to evolve. It is meant to be independent, transparent, professionalized, adequately resourced and decentralized. Consistent with the rule of law, it is also meant to be consistent with the relevant rules of international law and the basic principle of due process.

Increasing experience and jurisprudence since then allow us to evaluate and further clarify policy, procedure and interpretation, with a view to taking a

Third, we agree with the Secretary-General that it would not be sound to limit the highest standard of conduct required of UNDT and UNAT judges to the performance of their official functions. While judges are also human, they are naturally held to a much higher standard, whether inside or outside the court. They must possess high moral character and they must act honorably and in accordance with the values and principles set out in the code of conduct, at all times. This requirement does not make a distinction whether or not they are in the performance of official duties. Not only must they be beyond reproach; they should at all times be perceived to be beyond reproach.

Fourth, we believe that our position on the previous point would not be inconsistent with the general principle that complaints against certain judges in a pending case should not be dealt with until the case is disposed of, as long as the alleged judicial misconduct does not compromise the integrity of the case, or risk a miscarriage of justice.

And fifth, we agree that all legal representatives should be subject to the same standards of professional conduct. We look forward to examining by next year a proposed single code of conduct that would apply to both external legal representatives and UN staff acting as legal representatives, while recognizing and respecting the differences between them.

Mr Chairman, we take this opportunity to draw attention to those cases brought
by staff arising from disability, accessibility, reasonable accommodation and assistive technology. We look forward to learning of updates on a framework creating an environment as mandated by the Convention on the Rights of Persons with Disabilities.

We also look forward to the improved terms of reference of the Office of Ombudsman and Mediation Services, particularly on the required professional experience and the desired specialization in the distribution of work among staff across the three areas of conflict resolution, systemic issues, and conflict competence.

Thank you, Mr Chairman.