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Administration de la justice à l'Organisation

des Nations Unies

Administration of justice at the United Nations

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sur l'administration de la justice aux Nations Unies, ainsi que la activités du Bureau des services d'ombudsman et de médiat heureux de constater que le Secrétaire général poursuit ses système, l'efficacité de l'administration de la justice des Nations

Comme les années précédentes, la Suisse souhaite souligner or particulièrement importantes. Il s'agit premièrement de la p deuxièmement, du règlement des conflits du travail impliquant of

La protection efficace contre les représailles est une cara justice interne équitable et efficace. Dans son rapport, le Consei de protection contre les représailles pour les employés qui dem les tribunaux administratifs demeure un problème grave. C'est quatre recommandations du Conseil qui visent à régler cette q vivement que la politique du Secrétaire général contre les manquements ou de collaboration à des audits ou à des enq examinée et adaptée le cas échéant.

S'agissant du règlement des conflits du travail impliquant des n rions remercier le Secrétaire général d'avoir lancé cinq initiative et le règlement de ces conflits . Nous considérons que ces l'engagement de non-fonctionnaires au sein du Secrétariat, services d'ombudsman et de médiation des Nations Unies aux non-fonctionnaires du Secrétariat, représentent un pas dans la bonne direction.

Le rapport du Secrétaire général sur les activités du Bureau des services d'ombudsman et de médiation des Nations Unies indique que, depuis 2017, le nombre de non-fonctionnaires employés au Secrétariat qui font appel aux services informels de règlement des conflits du Bureau a régulièrement augmenté. Cette hausse indique clairement qu'il subsiste un urgent besoin de régler les conflits du travail impliquant des non-fonctionnaires. Nous recommandons que le Secrétaire général rende compte l'année prochaine du nombre d'affaires portées devant le Bureau des services d'ombudsman et de médiation par des non-fonctionnaires et qu'il procède à une analyse des ressources nécessaires pour que le Bureau puisse continuer à proposer ses services aux non-fonctionnaires.

Dans ce contexte, nous rappelons que les effectifs de l'ONU en personnel non fonctionnaire sont importants. En l'absence d'une possibilité de recours devant les tribunaux nationaux, qui ne peuvent généralement être saisis du fait d

Effective protection against retaliation is an indispensable attribute of a fair and effective system of internal justice. In its report, the Internal Justice Council states that the lack of protection against retaliation for staff members who apply for redress or testify as witnesses in the administrative tribunals remains a serious problem. We therefore welcome and support the four recommendations of the Council that aim at addressing this issue. In addition, we strongly recommend that the Secretary-General's policy against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations continue to be reviewed and adapted, as necessary.

Turning to the settlement of work- related disputes with non -staff personnel , we would like to thank the Secretary-General for launching five initiatives that aim at improving prevention and resolution of disputes involving non- staff personnel . We are of the view that these initiatives, in particular the review of the use of non-staff personnel within the Secretariat, the review of formal policies and issuances concerning the engagement of consultants and individual contractors, including the dispute resolution provision of their employment contract, and the pilot project giving access to the Office of the United Nations Ombudsman and Mediation Services for non-staff personnel in the Secretariat, are a step in the right direction.

The Secretary-General's report on the activities of the Office of the United Nations Ombudsman and Mediation Services states that, since 2017, there has been a steady increase in the number of non-staff personnel in the Secretariat seeking the informal dispute-resolution services of the Office of the Ombudsman. This increase is a clear indication that there continues to be an urgent need for the settlement of work-related disputes with non-staff personnel. We recommend that the Secretary-General report next year on the number of cases brought before the Office of the Ombudsman by non-staff personnel and an analysis of the resources required for the Office of the Ombudsman to continue extending its services to non-staff personnel.

In this context, we recall that the UN's workforce consisting of non-staff personnel is significant. In the absence of a remedy before domestic courts, which are generally unavailable due to the Organization's immunity, these persons need access to an alternative remedy to settle work-related disputes. For those who may resort to arbitration proceedings, there is no guarantee of equality of arms. Initiating arbitration proceeding against an organisation like the United Nations is daunting and bears the risk of significant costs for the individual. We therefore welcome and support the Secretary-General's proposal to explore more cost-effective means of engaging a neutral entity which would vet arbitrators, promulgate and maintain a roster of arbitrators, appoint an arbitrator when a party initiates arbitration and provide administrative services during an arbitration proceeding.

We thank the Secretary-General for his continuous efforts to search for modalities that will improve the situation of non-staff personnel and to ensure that the rule of law within the Organisation is guaranteed.

In conclusion, we recommend that the Secretary-General provide in his next report detailed information on the five initiatives mentioned in his report A/74/172 of 15 July 2019, which aim at improving the prevention and resolution of disputes involving non-staff personnel. We also recommend that the Secretary-General's next report include information on the progress made in the protection against retaliation, and that these topics remain on the agenda of the Sixth Committee.

Thank you, Mr. Chairman.