





**Firstly**, the internal justice system in place at the United Nations is critical to guarantee an access to justice to members of staff. However, in order to operate fairly and efficiently, the internal justice system must **ensure that staff and non-staff personnel are properly protected against retaliation**. Switzerland shares the concerns raised by the Internal Justice Council in its report and notes, in particular, that staff members fear potential retaliation if they act or testify before the Tribunals. We therefore fully support the three recommendations made by the Council with the aim of clarifying and strengthening the mechanism for protecting staff against retaliation. We note that these recommendations currently only apply to staff members.

**Secondly**, regarding the **issue of non-staff personnel**, Switzerland is concerned about the disparity of treatment between staff and non-staff personnel raised in the Secretary-General's report. We wish to stress the importance of treating both categories of staff fairly and of providing effective protection, while ensuring that all individuals with an employment or other contractual relationship with the United Nations can seek legal redress. Switzerland thanks the Secretary-General for providing detailed information on the five initiatives aimed at improving the prevention and resolution of disputes involving non-staff personnel. We look forward to the findings from the current study on the usage of non-staff personnel in the Secretariat and the ensuing report. We also support the Secretary-General's proposal to broaden the mandate of the Office of the United Nations Ombudsman and Mediation Services, which should allow the pilot project to offer access to informal dispute-resolution services to non-staff personnel to become a permanent option. In broadening the Office's mandate it will be essential to consider the resources required to enable it to deliver a high-quality service.

Providing access to an informal dispute-resolution mechanism will improve the position of non-staff personnel in work-related disputes. However, Switzerland reiterates that access to an informal dispute-resolution mechanism is not in itself sufficient to ensure a fair and effective internal justice system for all categories of United Nations staff. We believe it is important for non-staff personnel to have access to effective remedies and we note that most categories of non-staff personnel still do not have access to a judicial mechanism for resolving workplace disputes.

An independent, transparent, professionalized, adequately resourced and decentralized administration of justice system would lend greater credibility to the United Nation's global commitment to the right of equal access to justice for all and the rule of law. Switzerland thanks the Secretary-General for his ongoing efforts to improve the position of non-staff personnel. The Swiss delegation urges the Secretary-General to maintain his commitment to ensure that the rule of law within the Organization is guaranteed.

In conclusion, we recommend that the Secretary-General provide in his next report detailed information on the five initiatives referred to in his report A/75/162 dated 15 July 2020, which aim at improving the prevention and resolution of disputes involving non-staff personnel. We would welcome further discussion on ways to provide non-staff personnel with access to fair and effective judicial mechanisms for resolving work-related disputes. We further recommend that the Secretary-General's next report include updates on progress made in relation to protection against retaliation. Finally, we would like to keep issues relating to the administration of justice on the agenda of the Sixth Commission.

Thank you, Mr Chair.