

**Guiding Principles of Conduct for Office of Staff Legal Assistance (OSLA)  
Affiliated Counsel in the United Nations**

1. The primary duty of counsel is to the client staff member, former staff member or affected dependant of a staff member, within the framework of the Charter of the United Nations, and of its existing laws, the principles of justice, and legal ethics.
2. Counsel shall have demonstrated competence to handle the subject matter they are dealing with, and they should be in a position to devote the time necessary to provide full legal advice, assistance and representation.

**Duty to the Client**

3. In all matters concerning a client's interest, counsel shall observe the high standard of diligence requisite to a relationship of trust. As his or her representative, counsel's words or actions may affect the client's position.
4. Counsel shall advise the client staff member objectively and with full regard to his or her duty as a representative of the client and as an officer of the court. In so doing, he or she shall seek to obtain the fullest possible knowledge of the facts, and consider them for all aspects, as well as the laws, regulations, jurisprudence and other legal provisions related thereto. As necessary, counsel shall advise the client staff member if his or her case is unlikely to succeed on legal merits which would make it inadvisable to pursue a formal legal remedy.
5. Counsel shall advise a client of any delays and uncertainties in the legal or redress process and the desirability of exploring, at all stages, every reasonable possibility of negotiating an appropriate settlement which would respect the rights and interests of the staff member. He or she shall offer to assist with or undertake such negotiations within the scope of the client's consent.
6. In disciplinary matters, the personal opinion of counsel as to the guilt or innocence is irrelevant. Having undertaken the responsibility of advising and representing an accused person, counsel will seek to present every appropriate defense.
7. Counsel, within the framework of these Principles, shall seek to advance the cause of the client by the exertion of his or her utmost knowledge and ability.
8. In regard to the conduct of his or her duties, counsel shall not seek or accept any material reward or benefit (other than UN salary, in the case of OSLA Legal Officers), nor any career advantage. Nor shall counsel be inhibited from advising or taking any course of action which he or she considers proper by any fear of adverse consequences for himself or herself. Counsel shall neither seek nor accept directions from any quarter whatever in the discharge of his or her duties to a client, save those arising from the counsel/client relationship.
9. Counsel may not advise or act in a matter which involves any conflict of interest, whether personal, or arising from the nature of his/her duties on behalf of the Organisation, or otherwise. Counsel should, moreover, avoid advising or acting in any matter in which such conflict might reasonably be seen to exist. Should any such question emerge, counsel must advise the client or future client of all relevant facts.

10. All present and former staff members are entitled to the assistance of counsel. Counsel may, however, decline to advise or act in any matter, but shall under no circumstances exercise discrimination on improper grounds.
11. Counsel may withdraw only for good cause from any matter in which he or she has agreed to act. "Good cause" shall include, but not be limited to, any situation which a client seeks to insist upon a course of action incompatible with counsel's duties under the UN staff rules and regulations, the law and legal ethics, and to the Tribunals as officers of the court. A persistent failure of the client to cooperate with or follow the advice of counsel, or a serious breach of confidentiality or trust between counsel and the client may result in withdrawal of counsel from the case. Counsel may also withdraw should a client engage or retain outside counsel to handle his or her legal representation unless a specific co-counsel arrangement is agreed upon.
12. Counsel shall preserve the confidence of the client even after the counsel/client relationship has ended.

#### **Duty to the Law and the Organisation**

13. In the presentation of a client's case, and in any aspect of his or her duties, counsel shall not knowingly misrepresent facts. Nor shall counsel knowingly misstate the content of any related law, rule or regulation.
14. Counsel shall observe all relevant time-limits or, where observance is impossible for reasons beyond his or her control, shall seek timely extensions thereof.
15. Counsel shall preserve the confidentiality of proceedings in which he or she is acting.
16. Counsel shall treat other staff members associated with a matter in which he or she is acting with all due courtesy and respect. With it is counsel's duty in conducting the cross-examination of a witness to pursue relevant matters forthrightly and with diligence, he or she shall, in all situations and circumstances of a case, refrain from unsubstantiated or irrelevant allegations of bad faith or other impropriety.
17. Counsel shall in all matters connected with his or her functions observe the highest standards of propriety and integrity required of an international civil servant. In regard to such functions, counsel shall refrain from words or conduct which might prejudice the authority, independence and reputation of the Office of Staff Legal Assistance.