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UNGA 67th SESSION SIXTH COMMITTEE
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AGENDA ITEM 76: CRIMINAL ACCOUNTABILITY OF UNITED NATIONS OFFICIALS AND EXPERTS ON MISSION

STATEMENT ON BEHALF OF CANADA, AUSTRALIA AND NEW ZEALAND (CANZ)

**Statement by Ms Sue Robertson
Legal Advisor First Secretary
of Australia to the United Nations**

(Check against delivery)

Mr Chairman,

I have the honour today to speak on behalf of Canada and New Zealand, as well as my home country, Australia.

A key focus of this year's General Assembly session has been the 'rule of law'. At the High-Level Meeting on the Rule of Law, leaders stood together to re-affirm the international community's shared commitment to the rule of law, at both the national and the international level.

A fundamental aspect of the rule of law is accountability – that all persons must be answerable to the law. This tenet applies to each of us, and it must apply equally to United Nations officials and experts on mission.

Indeed, this is especially important for officials and experts on mission. They are the 'face' of the United Nations system to the world. Their mission embodies our values and our commitments to promote security, development and human rights. Their conduct reflects upon us all. When they engage in criminal

conduct, they act against each of us. They undermine our efforts. And they tarnish the reputation of this organisation.

Accordingly, it is imperative that these officials and experts set the highest standard of respect for, and compliance with, the rule of law. With that, it is imperative that these officials and experts are held accountable for any criminal conduct in which they engage.

We commend the Secretary-General's report A/67/213, implementing General Assembly resolution 65/20, for setting out the number and types of credible allegations against United Nations officials and experts on mission and the actions taken. In particular, we commend the Office of Legal Affairs for referring the cases of 17 UN officials to the relevant States of nationality for the purpose of investigation and possible prosecution. These referrals send a series of strong messages. First, the UN is committed to ensuring the accountability of its personnel. Second, States of nationality are responsible for ensuring accountability in practice. And third, to UN personnel, you will be answerable for any criminal conduct that you engage in.

More remains to be done to close the gap that can be used by individuals to escape accountability for their crimes. CANZ calls upon all States to respond to General Assembly Resolution 62/63 and to consider establishing jurisdiction over serious crimes committed by their nationals whilst serving as United Nations officials and experts on mission. Further, we call on States to report on efforts taken to investigate and, where appropriate, prosecute their nationals for such crimes.

As a longer term solution, CANZ supports the proposal for a convention that requires Member States to exercise criminal jurisdiction over their nationals who are participating in United Nations operations abroad. Such a convention could further strengthen the integrity of the UN system and further promote the highest standards of professionalism among UN personnel. We will continue to engage in discussions on the feasibility of such a convention, and we continue to seek constructive and pragmatic solutions to ensure accountability for such crimes.

Thank you Mr Chairman.