

**STATEMENT BY
GILES NORMAN
COUNSELLOR (LEGAL AFFAIRS)
OF THE PERMANENT MISSION OF CANADA TO THE UNITED NATIONS**

**TO THE SIXTH COMMITTEE OF THE 68TH SESSION
OF THE UNITED NATIONS GENERAL ASSEMBLY**

**Criminal Accountability of United Nations Officials and Experts on Mission
Statement on behalf of CANZ
Draft at 4 October 2013**

Mr Chairman,

I have the honour of speaking today on behalf of New Zealand and Australia, as well as Canada.

Accountability is a fundamental aspect of the rule of law. No one is above or outside of the law. This tenet applies to all individuals, including 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, whether admirable or deplorable, reflects upon us all. When they engage in criminal conduct, they undermine our efforts and harm the reputation, credibility, impartiality and integrity of this organisation. Of particular concern are incidents related to sexual exploitation and abuse, which affect the most vulnerable populations, especially women and children.

Accordingly, it is imperative that all UN personnel set the highest standard of respect for, and compliance with, the rule of law. We reiterate the call for the ongoing implementation of the zero-tolerance policy promoted by the Secretary General, as well as the enforcement of rules and regulations on misconduct, as it is essential that those involved are held accountable for any criminal conduct in which they engage.

We commend the Secretary-General's report A/68/173, implementing General Assembly resolution 67/88, for setting out the number and types of credible allegations against United Nations officials and experts on mission and the actions taken in response. In particular, we commend the work of the Conduct and Discipline Unit and the Office of Legal Affairs for investigating and referring the cases of UN personnel involved in misconduct to the relevant States of nationality for the purpose of investigation and possible prosecution. These referrals underline the UN's commitment to accountability of its personnel and highlight each State's responsibility for ensuring accountability. We urge member States to continue cooperation with the Organization

to process these cases and provide information to the Secretariat on actions taken related to misconduct.

We praise those states that took steps in the last year, as noted in the Secretary General's report A/68/143, to establish jurisdiction over crimes committed by their nationals while serving as United Nations officials or experts on mission. Despite the progress, more work needs to be done to preclude individuals from evading accountability for their crimes. CANZ calls upon all States, where they have not yet done so, to respond to General Assembly Resolution 62/63 and to consider establishing jurisdiction over serious crimes committed by their nationals while serving as United Nations officials or 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 would require 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 would welcome continued discussion on the feasibility of such a convention. We will continue to seek constructive and pragmatic solutions to ensure that such crimes are answered for.

Thank you Mr Chairman.