

Statement

By

H.E. Ambassador Negash Kibret

the Representative of the Federal Democratic Republic of Ethiopia

at

the Sixth Committee

On

Agenda Item 78

Criminal Accountability of United Nations Officials and Experts on Mission

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Mr. Chairman,

The agenda item under discussion is of great importance to Ethiopia as it is one of the active member states in the peacekeeping operations of the United Nations, and home to several United Nations Offices, including the United Nations Economic Commission for Africa (UNECA). Ethiopia greatly values the sacrifices made by the United Nations peacekeepers and commends the work of the United Nations in the preservation of global peace and security in accordance with the purposes and principles of the United Nations Charter.

My delegation, however, would like to share the concerns of many countries that crimes committed by some of United Nations officials and experts on mission have continued to negatively impact the execution of mandates of the organization and tarnish the sacrifices and relentless efforts of most of its employees in peacekeeping activities. Such crimes have not only seriously undermine the Organization's image, integrity and credibility in the long term, but also cause grave harm to the immediate victims, and deeply affect the cooperation between the United Nations and the host country, which is critical to the successful completion of the mission.

The United Nations senior officials and other staff, shouldering heavy responsibility in such sensitive and complex situations, are expected to adhere to the highest standards of discipline and the rule of law, and have also a duty to abide by the law of the host State. This is critically important for implementing their mandate successfully with integrity and respect.

Hence, it is of paramount importance to ensure that criminal acts must not remain unpunished, and that the perpetrators are prosecuted without delay. That is the

fundamental rationale for my delegation to strongly support the zero-tolerance policy with respect to criminal conduct by United Nations officials or experts on mission; and urges the zero-tolerance policy to continue to be the guiding principle.

Mr. Chairman,

The privileges and immunities, which are necessary for the independent exercise of their official functions pursuant to Article 105 of the United Nations Charter and the Convention on the Privileges and Immunities of the United Nations, should not serve as a pretext or excuse to commit crimes of whatever nature or mission. Indeed, the Charter's Article and the Convention referred to must be seen in the context of the necessity of carrying out the mandate in an independent and objective manner throughout the mission's period.

Therefore, cooperation between the hosting states and the United Nations in investigating allegations of criminal conduct of United Nations officials and experts on mission, need to be viewed in this context. In this regard, we wish to call on Member States to establish jurisdiction over crimes committed by their nationals while serving as United Nations officials or experts on mission abroad, so that the existing legal gaps are effectively closed to avert impunity and prevent denial of justice. It is also essential that member states shall give assistance in criminal investigations and extradition proceedings. We would, further more, like to stress the importance of cooperation through exchange of information and experience as well as the provision of legal support with a view to strengthening national judicial capacity.

Mr. Chairman,

Pursuant to the Ethiopian Criminal Code, Ethiopian courts have jurisdiction over an Ethiopian official or expert on mission who cannot be prosecuted at the place of

commission of the crime due to immunity the person enjoys. The only precondition is that the offence shall be punishable both under the Ethiopian criminal code and under the law of the country where it was committed. My Government is committed to take all appropriate measures to ensure accountability and that the perpetrators of such crimes are brought to justice.

Mr. Chairman,

My delegation believes that it would be important for the Sixth Committee to defer the matter to the International Law Commission for the preparation of a draft article on this subject matter. Accordingly, the General Assembly needs to adopt a comprehensive legal framework to resolve the challenge and remain seized of the matter. It is also important for the member states to continue to be informed of allegations of criminal activity or abuse by United Nations officials and experts on mission.

Thank You!