



Statement on behalf of the European Union and its Member States

By

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Delegation of the European Union to the United Nations

at the Sixth Committee

on

Agenda items 78

**"The report on Criminal Accountability of United Nations Officials and
experts on Mission"**

United Nations

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- CHECK AGAINST DELIVERY -

Mr. Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries the former Yugoslav Republic of Macedonia^{*}, Montenegro^{*}, Iceland and Serbia^{*}, the countries of the Stabilisation and Association Process and potential candidates Albania and Bosnia and Herzegovina, as well as Armenia, and Georgia, align themselves with this statement.

The European Union and its Member States welcome the Secretary General's report found in document A/68/173 on the implementation of resolution 67/88. We underline our continued support for a zero tolerance policy for crimes committed by United Nations officials and experts on mission.

While upholding the privileges and immunities of UN officials and experts on mission it is expected that international law and national legislation of the host State shall be respected by such personnel and no crime committed by them should go unpunished.

Impunity for crimes of a serious nature committed by UN officials and experts on mission would have long term detrimental effects on the credibility of the Organisation and its effectiveness. Therefore, impunity for such crimes should not be tolerated, for the victims and the host State, and for the reputation of the UN.

In this respect, the EU and its Member States welcome the indication by the Secretary-General in his report A/67/766 on special measures for protection from sexual exploitation and sexual abuse, that proper investigation will take place into allegations of criminal conduct where reported against UN officials and experts on mission.

We note that training and awareness-raising on UN standards of conduct should remain at the centre of the preventive measures adopted by field missions and welcome the implementation of such additional measures at UN Headquarters level by the Department of Peacekeeping Operations and the Department of Field Support.

We take it as a positive sign that the number of reported cases which were referred to States of nationality for investigation and possible prosecution significantly decreased during the last reporting period.

^{*}The former Yugoslav Republic of Macedonia, Montenegro and Serbia continue to be part of the Stabilisation and Association Process.

The EU and its Member States acknowledge that cooperation between States and with the UN in investigating allegations of criminal conduct is essential. It is also crucial, with regard to the commission of crimes of a serious nature by UN officials and experts on mission, that the State of nationality of the relevant person establishes the necessary jurisdiction to investigate and prosecute such crimes when appropriate. We underline, in this regard, that States have to implement fully their obligations under international law, including applicable agreements. We also note that seven States have responded to the request for information from the Secretary-General pursuant to resolution 67/88.

The EU and its Member States support the dual track approach, combining short-term measures and long-term measures to deal with existing jurisdictional gaps. We welcome efforts to provide requesting States with technical and other appropriate assistance in developing relevant national legal measures. We also acknowledge the value of discussions regarding principles for an international legal instrument. In the long-term, the EU remains ready to consider a proposal for a comprehensive legal framework which would clarify the circumstances under which Member States can exercise jurisdiction, as well as the categories of individuals and crimes subject to that jurisdiction.

I thank you Mr. Chairman.