



General Assembly
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Agenda Item 78: Criminal accountability of United Nations
officials and experts on mission

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Norway continues to attach great importance to the topic of criminal accountability of United Nations officials and experts on mission. Serious crimes which may be committed by United Nations personnel, including incidents of alleged sexual exploitation and abuse, run counter to all that the UN stands for. Such conduct could undermine the organisation's integrity and may weaken the trust and support the UN needs to fulfil its important responsibilities.

Mr Chairman,

Preventive measures such as awareness-raising and training on standards of conduct are necessary and should always be undertaken. At the same time, it is important that adequate measures to ensure accountability are also in place in the event of serious crimes being committed. It is imperative that the state of nationality is willing to investigate allegations of such crimes and to prosecute any of its citizens who are suspected of committing such a crime. We therefore call again on states to establish jurisdiction for serious crimes which may be committed by their nationals while serving in a UN mission. We also call on all states that have not already done so to provide information on their legislation in this area to the Secretary-General, so that the General Assembly can gain a full picture of the legal situation and possible loopholes.

We also urge all states to cooperate with each other and with the UN whenever allegations of serious crimes are revealed. The resolutions adopted at the last General Assembly sessions make concrete recommendations for strengthening such cooperation. A number of these

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recommendations are qualified by references to states' domestic law. While it is obvious that any cooperation in the field of criminal law must comply with domestic law, it is equally clear to us that current domestic law cannot serve as a justification for refraining from cooperating as recommended in these resolutions. Rather, it is our view that states must be prepared to consider amending their domestic law when this is warranted.

Mr Chairman

We would like to thank the Secretary-General for his informative report under this agenda item (A/68/173). The report includes useful information on the number of cases that have been brought to the attention of the states of nationality of the alleged perpetrators and the number of responses received from those states. We continue to note with concern that the UN has received very few responses from states indicating how credible allegations have been followed up in their domestic jurisdictions.

Mr Chairman,

Going through the relevant reports from the Secretary-General on this issue, we note that the cases of 47 UN officials or experts on mission involving credible allegations of serious crimes have been brought to the attention of their states of nationality. These cases include allegations of rape, other forms of sexual abuse, fraud and theft, just to mention some of the crimes in question. Further, the reports inform us that the Secretariat has only received a response in seven out of the 47 cases. Two of these responses were requests for clarifications. Four of the responses merely informed the Secretariat that the matter had been raised with the relevant officials. That leaves only one response indicating that a Member State, according to the Secretary-General's report "*is taking action in respect of the case within its jurisdiction*". It is, however, not clear to us what kind of action was taken in this particular case.

All in all, the General Assembly does not have enough information to ascertain whether criminal proceedings have been instituted, or even considered, in connection with any of the 47 reported cases. We do not know if suspected perpetrators are being held accountable. In other words, we do not have the necessary information to conclude whether these credible allegations of serious crimes have been taken seriously.

Mr Chairman,

Based on the above, it is our firm view that we need to look closely at what measures could be adopted by the General Assembly to improve Member States' reporting in this context. As a starting point, we suggest that the Secretariat includes, in an annex to its reports from next year onwards, a table showing all the relevant cases, the types of alleged crimes, when the case was brought to the attention of the Member State, and the date and content of any response from the Member State. This could be done without naming the Member State in question. While this

information will in itself not enhance reporting, it will give the General Assembly a clear and up-to-date picture of the information provided to the Secretariat in these cases, and thus keep us better informed about the situation.

Thank you Mr Chair.