



Permanent Mission of Ecuador to the United Nations

Pro Tempore Presidency

70th Session of the United Nations General Assembly

ITEM 80

Criminal accountability of United Nations officials and experts on mission

STATEMENT BY THE PERMANENT MISSION OF ECUADOR

TO THE UNITED NATIONS

ON BEHALF OF THE COMMUNITY OF LATIN AMERICAN AND CARIBBEAN STATES

New York, 16 October, 2015

-Please check against delivery-

Mr. Chairman

I have the honor to speak on behalf of the Community of Latin American and Caribbean States CELAC.

CELAC States would like to start by stressing that any type of misconduct, especially criminal behavior, committed by UN personnel on Mission, is completely unacceptable and must never go unpunished. These acts are particularly grave because of the nature of the functions of the perpetrators, and the special vulnerability of the persons victimized. The commission of these crimes has a detrimental effect on the fulfillment of the United Nations mandates and on the credibility of the Organization as a whole. It causes great harm to the victims while mining the reputation of the UN.

In this regard the Community of Latin American and Caribbean States reaffirms the need to ensure that all personnel of the United Nations perform its duties in a manner that preserves the image, credibility, impartiality and integrity of the United Nations and upholds its highest ideals

Mr. Chairman

The Community of Latin American and Caribbean States would like to thank the Secretary General for his report contained in document A/70/208. Among other things, the report shows, through the information provided by Member States, that steps have been taken by some States to establish jurisdiction, enact the appropriate legislation related to the criminal jurisdiction over the crimes of a serious nature involved in this matter, and that there is a basic framework at different levels for the cooperation and exchange of information to bring to justice its perpetrators.

We also thank the Secretary General for its report on Special measures for protection from sexual exploitation and sexual abuse, contained in document A/69/779, which provides information on the number and type of allegations of sexual exploitation and abuse received in 2014 and on the status of investigations into those allegations, as well as an update on the enhanced measures being taken to implement the zero-tolerance policy through the improvement of the Organization's response to sexual exploitation and abuse in the areas of prevention, enforcement and remedial action.

However, in lieu of repeated incidents, it is very clear that we need to do much more, as members of the international community, in order to ensure collectively that impunity associated with such crimes will not find room anywhere, any more. This year we have been made aware of allegations of sexual abuse and excessive use of force by some peacekeepers. The appalling recent events in the Central African Republic reinforce the pertinence and necessity of our discussion. We welcome the efforts by the Secretary General to respond to such allegations of sexual exploitation and abuse of children. We will follow up closely the developments of this initiative.

Mr. Chairman

The Community of Latin American and Caribbean States takes note in particular of the information prepared by the Secretariat contained in Section IV, regarding the process of reporting credible accusations to the State of nationality, and in Section V, in relation to the strengthening of existing training on UN standards of conduct. The Group encourages the Organization to continue to implement its policies in accordance with resolution 66/93.

CELAC reiterates the importance we attach to receiving continuous information from the Secretariat on statistics about substantiated allegations. We are still not convinced that the registered number of allegations of criminal activities and abuse by United Nations officials and experts on mission reflects the true extent of the problem. We believe that a better reporting practice will benefit our understanding of this problem so that we can address it properly.

In this regard, the Community of Latin American and Caribbean States requests the Secretariat to continue its efforts to improve the quality of the information and its immediate communication to concerned Member States regarding possible criminal implications. We take note of the efforts being undertaken by the Secretariat to standardize the process to notify Member States of serious allegations of misconduct involving uniformed personnel deployed as experts on mission. We believe this same process should also be followed for incidents involving UN officials and non-uniformed experts on mission. It is vital to ensure that notification processes are implemented effectively and efficiently.

CELAC also urges States to which cases have been referred, to give the proper follow up and inform the Secretary General of the actions taken, including prosecutions as appropriate. We regret that even though the Office of Legal Affairs requested said States to keep the UN informed of any action taken by the national authorities in relation to those cases, only a few have contacted the Office to note that the

matter had been raised with the relevant officials, according to paragraph 29 \pm of the SG report. Likewise, the United Nations should follow up on the abovementioned actions.

We are convinced that there are many areas where cooperation can be improved and we are looking forward to discussing and acting on them during this session

Mr. Chairman

The Community of Latin American and Caribbean States would like to reaffirm its serious concern over the instances of sexual exploitation and abuse reported by the Secretary General in report A/70/357. CELAC reiterates its full support to the zero tolerance policy in the cases of sexual exploitation and abuse and other criminal conduct, while we restate the need for the observance of the rule of law for its implementation. We are at a critical juncture where more is expected of the United Nations; in particular, to set standards in meeting the needs of those whose rights have been violated and in leading the way forward.

In this regard, the Community of Latin American and Caribbean States would also like to highlight the shared responsibility of the Secretary-General and all Member States to take every measure to prevent and punish said criminal activities committed by persons working for the United Nations and to enforce standards of conduct in that regard. It is important to continue the dialogue with the Secretariat, on measures and activities for the training and capacity-building of UN officials and experts on mission, and on the issue of privileges and immunities, to prevent their abuse.

CELAC is looking forward to the achievements after the implementation of the accountability framework developed by the Secretariat to measure the performance of field missions in connection with a number of indicators relating to conduct and discipline.

Mr. Chairman

The Community would like to highlight the need to address other areas that present critical challenges, such as investigations both in the field and during criminal proceedings, as well as the gathering of evidence, and its assessment and review in the administrative and jurisdictional procedures, that should always be conducted bearing in mind the interests of the alleged victims and due process rights of those against whom allegations are made.

We also believe it is important for UN personnel to comply with relevant UN Policy Guidelines regarding their expected standards of conduct, inter alia those established in documents A/67/775 and A/67/828.

CELAC is confident that during the Sixth Committee's sessions, as well as in other fora, Member States will take the necessary steps to move forward against the critical and appalling problem of the criminal activities carried out by some UN officials and experts on mission and by doing so, contribute to end impunity. I would like to reiterate the willingness of CELAC to collaborate during our discussions in a constructive manner.

I thank you.