



*Permanent Mission of El Salvador
to the United Nations*

Criminal accountability of United Nations officials and experts on mission

**STATEMENT BY THE PERMANENT MISSION OF THE EL SALVADOR TO THE UNITED NATIONS
ON BEHALF OF THE COMMUNITY OF LATIN AMERICAN AND CARIBBEAN STATES (CELAC)**

New York, 05 October 2018

Mr. President,

My delegation has the honor to speak on behalf of the Thirty-Three Members States of the Community of Latin American and Caribbean States (CELAC).

CELAC Member States would like to start by stressing, as we have done in previous sessions, 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. This causes serious damage to the victims and 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. President,

The Community of Latin American and Caribbean States would like to thank the Secretary-General for the report contained in document A / 73/128. The report shows, in section II, the information provided by Member States since 2007 on the establishment of jurisdiction over their nationals while serving as United Nations officials or experts on mission in relation to crimes established in their current criminal law, particularly those of a serious nature. We take note of the report of the Secretary-General (A / 73/155), where Section II sets out all the policies and procedures of the United Nations in relation to the allegations referred to in paragraphs 17 and 18 of resolution 71/134. We also take note of the Secretary-General's report A / 73/129 related to this item of debate.



*Permanent Mission of El Salvador
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We also take note of the report on “Special measures for protection from sexual exploitation and abuse: a new approach” , contained in document A/72/751, which provides information on the number and type of allegations of sexual exploitation and abuse received during 2017 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 view 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. As in previous years, we have been made aware of allegations of sexual abuse and excessive use of force by some peacekeepers.

Mr. President,

The Community of Latin American and Caribbean States takes note in particular of the information prepared by the Secretariat contained in Section IV of the report A/73/129 issued under the current agenda item, regarding the Cooperation between States and with the United Nations in the exchange of information and the facilitation of investigations and prosecutions, and protection of victims and witnesses in this process. CELAC reiterates the importance we attach to receiving continuous information from the Secretariat on statistics about substantiated allegations. We believe that improving on the reporting practice will always 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 urges States that have referred cases to provide adequate follow-up and inform the Secretary General of the measures adopted, including prosecutions as appropriate. We also reiterate the importance of States keeping the UN informed of any action taken by national authorities, in relation to these cases. In the same way, the United Nations should follow up on the actions mentioned above.

We are convinced that there are a number of areas where cooperation can be improved and we therefore reiterate our commitment to discuss and act on them during the current session.



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Mr. President,

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/72/751. 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 the advances that are required in the matter.

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. President,

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, in particular 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 undertake 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.

Thank you.