

Statement by

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On behalf of the Non-Aligned Movement

Before the Sixth Committee  
73<sup>th</sup> Session of the United Nations General Assembly  
on Agenda Item 79:

“Criminal Accountability of United Nations Officials and Experts on Mission”

New York, 5 October 2018

*In the name of God, the Compassionate, the Merciful*

I have the honour to speak on behalf of the Non-Aligned Movement.

The Non-Aligned Movement takes note of the three Reports of the secretary general, contained in document A/73/155, A/73/128 and A/73/129 on implementation of General Assembly Resolution, 72/112 which collects particularly information received from governments on the extent to which jurisdiction is established under their national laws over crimes of a serious nature, whenever they serve as United Nations officials or experts on mission, cooperation among States and with the United Nations in the exchange of information and the facilitation of investigations and prosecution of such individuals, handling of credible allegations by Member States as well as the protection of victims and witnesses in this process. It also contains an overview of cases referred to Member States, a summary of information on vetting by Member States contributing personnel to the United Nations as well as relevant policies and procedures of the United Nations system regarding credible allegations that reveal a crime may have been committed by the United Nations Officials or Experts on Mission. these reports could provide a full picture of obstacles in the domestic legal systems with a view of providing appropriate policy and legal solutions in this committee.

As we have expressed on previous occasions, the Non-Aligned Movement attaches great importance to the issue of Criminal Accountability of United Nations Officials and Experts on Mission. As we speak, NAM Countries contribute more than 80% of the peace-keeping personnel in the field. The NAM Member Countries are the major recipients of these peace-keeping missions, at the same time.

The Non-Aligned Movement expresses its appreciation for the outstanding contributions and sacrifices of U.N. peacekeepers. The Movement stresses, however, that all UN peacekeeping personnel should continue to perform their duties in a manner that preserves the image, credibility, impartiality, and integrity of the United Nations. The NAM emphasizes the importance of maintaining a policy of zero tolerance in addressing all cases of sexual exploitation and abuse committed by peacekeeping personnel.

The Non-Aligned Movement takes note of the work undertaken by the Ad Hoc Committee in the framework of a working group on the criminal accountability of the United Nations officials and experts on mission during its three sessions held in 2007, 2008 and 2012. It is more than one decade that the topic Criminal Accountability of United Nations Officials and Experts on Mission was put on the agenda of the Sixth Committee and UN has taken important and timely steps since then, but there is still a long way to reach an ideal situation.

We are satisfied with the outcome of the work in the Sixth Committee with regard to international cooperation, which shall further enhance and ensure accountability within the Organization. We urge the United Nations to continue cooperating with States exercising jurisdiction in order to provide them, within the framework of the relevant rules of international law and agreements governing activities of the United Nations, with information and material for purposes of criminal proceedings initiated by States;

In this sense, we take note of the comprehensive strategy on assistance and support to victims of sexual exploitation and abuse by United Nations staff and related personnel, which was adopted by the General Assembly resolution 62/214. This Strategy will help to mitigate the sufferings of the victims of sexual exploitation and abuse as well as offer social support, legal services and medical attention, among other things.

We also believe that the full implementation by all Member States of General Assembly resolution 72/112 as well as previous General assembly resolutions adopted pertaining Criminal Accountability of United Nations Officials and Experts on Mission could contribute to bridging any jurisdictional gaps, if they exist and will strengthen accountability mechanisms and contribute to guaranteeing due process with respect to investigations of acts of sexual exploitation and abuse.

We encourage member states to exercise their jurisdiction in applicable cases in order to ensure that criminal acts do not go unpunished. It is crucial that the state of nationality acts in a timely manner to investigate and prosecute alleged crimes. We also call upon all states to provide information to the United Nations on any such referrals. Subsequently, an assessment can be undertaken to explore if there is any

need for further measures by the General Assembly. The Movement notes that important policy and remedial measures have been agreed but still need to be implemented. We continue to believe that progress in short term measures is also needed.

The Non-Aligned Movement reiterates its concern with respect to all alleged crimes on the part of United Nations officials and experts on mission, including allegations of corruption and other financial crimes, and in that regard welcomes the reaffirmation by the Secretary-General that there will be no tolerance for any corruption at the United Nations; the movement Urges the Secretary-General to continue to ensure that his zero-tolerance policy for criminal activities, such as sexual exploitation and abuse and corruption, is made known to all United Nations officials and experts on mission at all levels, especially those in managerial positions;

We strongly urge States to take all appropriate measures to ensure that alleged crimes by United Nations officials and experts on mission do not go unpunished and that the perpetrators of such crimes are brought to justice.

The NAM reiterates that it is still premature to discuss a draft convention on criminal accountability of United Nations officials and experts on mission. We believe that for the time being the work of the Committee must focus on substantive matters and leave matters of form for a subsequent stage.