



**Statement**  
**on behalf of the Republic of South Africa**  
**by**

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**before the Sixth Committee of the  
73rd Session of the United Nations General Assembly**

**under Agenda Item 79**  
**“Criminal accountability of United Nations officials and  
experts on mission”**

**New York, 5 October 2018**

## **Chair**

At the outset, South Africa wishes to align itself with the statements delivered by the representatives of the Islamic Republic of Iran speaking on behalf of the Non-Aligned Movement and The Gambia speaking on behalf of the African Group.

## **Chair**

In 2017, South Africa indicated that criminal accountability of United Nations officials and experts on mission is a matter that is of significant importance for South Africa as such persons are, in almost all circumstances, deployed to locations where the most vulnerable groups of persons are left with the least protection. South Africa also recognises the courageous actions of UN officials and experts on mission, as well as other persons within the UN system, who report criminal activity and misconduct at the risk of personal prejudice.

South Africa remains fully supportive of a rule-based regime created by a multilateral Convention to regulate the matter as a means of ensuring accountability and to prevent future recurrences. South Africa will continue to encourage the development of domestic legislation that vests local courts with the requisite jurisdiction over UN officials and experts on mission. The prosecution and punishment of perpetrators of serious crimes under domestic law serves as a means of closing the 'jurisdictional gap' pending the creation of an appropriate treaty.

South Africa welcomes the three reports issued by the Secretary-General (two dated 9 July 2018 and the third dated 12 July 2018) which are instructive and valuable, and aid all Member States in evaluating their own legislation for compliance with the requirements to close the 'jurisdictional gap'. South Africa acknowledges the extensive work required to produce the reports, and values the information communicated therein.

South Africa notes the remarks of the Secretary-General in his report of 12 July wherein he mentioned that the existing policies and procedures of the UN system show that there is a great measure of coherence and coordination within the UN

Secretariat, funds and programmes, as well as Specialised Agencies and related organisations, in bringing credible allegations against officials to the attention of States. However, we support and urge the Secretary-General to continue efforts to further strengthen and coordinate coherence.

In his reports of 9 July the Secretary-General noted that it is clear that significant gaps continue to exist in Member States between prescriptive and enforcement jurisdiction. As mentioned by the President of the Republic of South Africa on 24 September 2018 during his address at the UN Nelson Mandela Peace Summit in New York, “we should draw on the strength of the collective in resolving complex challenges”, and that “the United Nations can only succeed to the degree that we, as global leaders, provide visionary leadership that transcends our ideological differences and narrow national interest”.

In this spirit, we call on Member States to prioritise the closing of the jurisdictional gaps as a collective measure that is able to partly solve this complex problem. The continued strengthening of pre-deployment vetting procedures and training aimed at aligning the values and conduct of persons to those of the mission which they are being deployed to should be further strengthened as a means to act preventatively in ensuring that crimes committed by UN officials and experts on mission are reduced and addressed.

South Africa encourages the Sixth Committee to continue its important work on this matter. South Africa has already pledged, and continues to pledge, its support for combatting criminal activities by UN officials and experts on mission.

**I thank you.**