

Statement of Portugal

at the 74th Session of Sixth Committee of the General Assembly

Agenda Item 76

**Criminal accountability of United Nations officials and experts on
mission**

Check against delivery

Thank you Mr. Chairman,

At the outset, and since this is the first time my delegation takes the floor during this session, let me congratulate you and the other members of the bureau on your election, and reiterate my delegation's full support to you throughout this session.

I wish to align my delegation with the statement previously delivered by the European Union.

Mr. Chairman,

Portugal would like to begin its intervention on this important topic by paying tribute to the United Nations officials and experts on mission, and by commending them for their invaluable contribution to the fulfilment of the goals and principles of the United Nations. It is never enough to recognise and praise their high character and their work as active contributors for peacebuilding, often in the face of very difficult conditions in the field.

The United Nations officials and experts on missions are known to have, in most cases, an impeccable and unpolluted behaviour. The vast majority of them show unwavering dedication and selflessness – sometimes to the sacrifice of their own safety and lives – and live up to the very high integrity and ethical standards of the United Nations and of the States where they operate at.

Mr. Chairman,

The occasional reproachable behaviour of United Nations officials or experts on mission can compromise the credibility of the Organization and of its agents. Impunity, or even just the perception of undue protection to wrongful behaviours, is detrimental to the Organization.

The sound administration of justice is thus key for the ability of the United Nations to fulfil its mandate. That is why this topic is of the utmost relevance.

Mr. Chairman,

We would like to note our appreciation for the ongoing commitment and leadership of the Secretary-General and the important role of the *Office of Legal Affairs* on this topic.

We also wish to thank the Secretary-General for his two reports. These reports are repositories of important information on these matters, from State practice and policy to the policies and procedures of the United Nations Secretariat, funds and programmes and other entities, as well as of specialized agencies and related organizations.

In relation to the national framework, we would like to underline the importance of States ensuring that they have the adequate resources to exercise their jurisdiction. Furthermore, the need for appropriate measures to prevent crimes from occurring should also be taken into account by all States and the United Nations.

Mr. Chairman,

Having several of its nationals deployed as United Nations officials or experts on mission, Portugal takes these issues very seriously. As we have been repeatedly noting throughout the years – including in response to questionnaires on this matter –, Portugal may criminally prosecute a United Nations official or an expert on mission, whose immunity has been waived, for facts committed in or outside the Portuguese territory, within the conditions stated above.

Furthermore, this competence is articulated with international judicial cooperation, in order to give effect to the *aut dedere aut judicare* principle.

In addition to these reactive measures, Portugal deems preventive measures to be of the highest importance. Specific examples of the latter are the pre-deployment training of armed forces and security forces personnel, including on good-conduct and discipline.

Mr. Chairman,

To conclude, Portugal would like to encourage the United Nations and the Members States to continue working on the prevention and prosecution of crimes committed by United Nations officials and experts on mission in an effective and transparent manner.

Thank you, Mr. Chairman.