



# New Zealand Permanent Mission to the United Nations

Te Māngai o Aotearoa

## United Nations General Assembly: Sixth Committee Debate on Criminal Accountability of UN Officials and Experts on Mission – CANZ Statement

Delivered by Luke Roughton

12 October 2020

Check against delivery



I have the honour to speak on behalf of Australia, Canada, and my own country, New Zealand.

We commend the important work that UN officials and experts on mission do across the globe in creating the conditions for lasting peace. Tens of thousands of these individuals are engaged every day in maintaining peace and security, delivering humanitarian assistance, advancing the rule of law, and supporting development. Article 101 of the UN Charter emphasises that UN staff must exhibit the highest standards of integrity.

However, the deplorable acts of a few UN officials and experts, and the failure to hold them accountable, have increased suffering among the people they are mandated to help and protect. Such acts have undermined the reputation, credibility, integrity and impartiality of UN Missions, and the United Nations as a whole.

As we have emphasised before, in closing the impunity gap it is critical that Member States and the UN develop a culture in which individuals are supported to report misconduct and alleged crimes with appropriate safeguards against retaliation.

We recognize the leadership demonstrated by the UN Secretary-General in responding to this issue, and we reiterate our unwavering support for the zero tolerance policy for criminal activities, in particular when it comes to acts of sexual exploitation and abuse. We commend the UN for its increased commitment to transparency and reporting on wrongdoing within the organization. In this regard, we welcome the updates in the Secretary-General's report on the policies and procedures in parts of the United Nations system. We also acknowledge the steps being taken to improve accountability and recognise victims' rights.

While we acknowledge the progress being made, we remain concerned that sexual exploitation and abuse, corruption, fraud and other financial crimes continue to be committed by UN officials and experts. We urge the UN to ensure that all allegations are investigated in an impartial, thorough, and timely manner, and to ensure that substantiated cases are appropriately dealt with, whether through disciplinary measures or through referral to home States.

We commend the recommendation of the Secretary-General that Member States should encourage the legislative bodies of the UN system to ensure the coherence and coordination of policies and procedures for the reporting, investigation, referral and follow-up of credible criminal allegations relating to UN officials or experts on mission. We are also supportive of further efforts of the UN system to continue to measure the adequacy of existing policies and procedures and to identify potential disparities. We would appreciate continued reporting from the Secretary-General on how such efforts are being implemented.

All Member States need to do more to prevent misconduct and crimes by their UN officials and experts on mission by instilling a culture of zero tolerance for sexual exploitation and abuse. This includes introducing vetting procedures including pre-deployment training and screening. Corruption, fraud and related financial crimes must also be in our sight. We reiterate that the primary responsibility to investigate and prosecute credible allegations of criminal misconduct by UN officials and experts on mission rests with the State of nationality of the alleged perpetrator.

We encourage all Member States to continue to contribute to the updated table of national provisions regarding establishment of jurisdiction over their nationals. We urge Member States that have not yet done so to consider establishing jurisdiction over serious crimes committed by their nationals while serving as UN officials or experts on mission.

We urge all Member States to investigate allegations of criminal conduct by their nationals, cooperate with other Member States in these matters, and hold perpetrators accountable according to their domestic criminal law. We further encourage Member States to share their experience of dealing with notifications of allegations against their nationals, as well as obstacles to effective prosecution they may encounter, whether jurisdictional, evidentiary or otherwise, with a view to these States being supported and to enable best practice to be shared in a constructive dialogue.

It is imperative that the international community hold individuals to account for deplorable criminal conduct that undermines the work of the UN. We therefore support, in principle, the proposal for a convention that would require Member States to exercise criminal jurisdiction over their nationals participating in UN operations abroad. We would welcome further discussions on the feasibility of such a convention.

In closing, Australia, Canada and New Zealand reaffirm our unwavering commitment to ensure that UN officials and experts on missions, who we hold to the highest standards, are also held to account for deplorable acts.

Thank you.