



Statement on behalf of the European Union and its Member States

By

**Ms. Simona Popan, Counsellor, Delegation of the European Union to the
United Nations**

at the Sixth Committee

on the Agenda item 74:

"Criminal accountability of UN officials and experts on mission"

United Nations

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– CHECK AGAINST DELIVERY –

Mr. /Madam Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries North Macedonia*, Montenegro*, Serbia*, Albania* and the Republic of Moldova, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as Georgia, and San Marino align themselves with this statement.

Mr. /Madam Chair,

Peace, security, stability, rule of law and protection of civilian population from the scourge of war are the central purpose of the United Nations. Since the first peacekeeping operation in 1948, brave UN officials and experts have risked their own lives to selflessly serve these universal goals. We commend them for their bravery and thank them for their service.

While we praise peacekeeping achievements, we must hold accountable the individuals who go against these noble goals and hurt persons they are supposed to protect. We must do more when it comes to investigation and prosecution of alleged misconduct or crimes of our own nationals serving in peacekeeping missions. We must establish jurisdiction over crimes committed by them. We must ensure the blue helmets always bring a sigh of relief and a spark of hope, instead of feelings of doubt or even worse, fear. We must ensure the actions of few do not tarnish the achievements of the whole.

Mr. /Madam Chair,

We would like to thank Secretary General for his latest reports on this topic (A/77/237 and A/77/225).

We believe a zero-tolerance policy for misconduct and for crimes committed by officials and experts on mission, especially sexual and gender-based exploitation and abuse, is vital for achieving these goals. The EU has implemented The Code of Conduct and Discipline for EU Civilian Common Security and Defence Policy (CSDP) Missions to ensure our officials and experts preserve the credibility, integrity and impartiality of the UN and EU. A zero-tolerance policy is also a key guiding principle of the EU Upgraded Generic Standards of Behaviour for CSDP Missions and Operations. Additional measures and safeguards have also been included, such as the possibility to call for independent experts (investigators and Disciplinary Board members) and proper provision for the protection of whistle-blowers.

* North Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.

The EU and its Member States believe that each individual country should ensure that personnel they deploy maintain the professional and personal standards of behaviour in order to successfully fulfil the mission's mandate. It is invaluable for all officials and experts on missions to not only possess professional expertise, but to have respect for the laws and regulations of the host country and be sensitive to local traditions, culture and religion. Education, pre-deployment training, vetting and awareness-raising have proved effective to sensitize personnel to local culture and traditions. These actions have proven to be the best kind of preventative measures. Our goal is to significantly lower the incidents of misconduct and criminal acts by officials and experts on missions and at the same time establish rigorous standards for investigation and prosecution.

Mr. /Madam Chair,

The primary responsibility for the investigation and prosecution of alleged crimes conducted by officials and experts on missions lies with the State of nationality. Here, cooperation with the host State and other States remains important. Thus, we call on all States to cooperate, exchange information and coordinate their approach with regard to investigating and prosecuting in order to end impunity and strengthen the integrity of UN peacekeeping missions. We also believe States should cooperate in order to ensure appropriate protection and support for victims of criminal conduct perpetrated by UN peacekeeping personnel. It is our responsibility to ensure that those in vulnerable situations due to conflict are not re-victimized. We must support their journey to justice and redress.

Mr. /Madam Chair,

The EU and its Member States are concerned by the fact that the majority of alleged misconduct and crimes referred to UN Member States by the Secretary-General remain unanswered. We call on States to investigate the referrals and to provide the Secretary General with more updates on the status of their investigations or prosecutions. We also wish to reiterate that the exercise of jurisdiction by States must respect international human rights law, including the right to a fair trial and due process. Such exercise of jurisdiction should also be without prejudice to the privileges and immunities of the UN officials and experts on mission under international law. We recall however that privileges and immunities are granted in the interests of the United Nations and not for the personal benefit of the individuals themselves and waivers of immunity may be sought where immunity would impede the course of justice.

In closing, Mr. /Madam Chair, the EU and its Member States reaffirm our readiness to consider a proposal for a comprehensive international legal framework, which would clarify the

circumstances under which UN Member States can exercise jurisdiction, as well as the categories of individuals and crimes subject to that jurisdiction. Nobody is above the law and we will continue to work towards ending impunity.

Thank you.