

Statement of Portugal

at the 77th Session of Sixth Committee of the General Assembly

Agenda Item 74

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

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Mr. Chairman,

As Portugal is taking the floor for the first time in this session, allow me to start by congratulating you and all members of the Bureau on your election and assuring you the full support of my delegation. We are particularly pleased to see a national of a fellow Portuguese-speaking country presiding over our work.

Portugal aligns itself with the statement delivered on behalf of the EU and its Member States and would like to offer a few additional remarks in a national capacity.

Mr. Chairman,

United Nations officials and experts on mission are invaluable actors in the fulfilment of the purposes and principles of the Charter. Most have a high character and an impeccable conduct that sets them apart as active contributors for peace, sustainable development, and the respect for international law.

Often facing very difficult conditions in the field, many UN officials and experts on mission lay down their safety and their lives with firm dedication and self-sacrifice, honouring the very high integrity and ethical standards of the United Nations and of the States where they operate at.

Mr. Chairman,

This remarkable work of United Nations officials and experts on mission must go hand in hand with the Secretary-General's zero-tolerance policy for occasional misconducts and criminal activities on their part.

These reproachable behaviours can compromise the credibility of the United Nations and its agents. Impunity is detrimental to the Organization, and so is the mere perception of undue protection to wrongful behaviours.

The sound administration of justice and the right to due process are two key elements for upholding and fulfilling the mandates of the United Nations, including its specialised agencies and subsidiary organs. That is why this topic remains of the utmost relevance.

Mr. Chairman,

As repeatedly noted by the General Assembly and the Secretary General, criminal accountability of UN officials and experts on mission requires a whole-of-Organization approach.

Therefore, Portugal deeply appreciates the Secretary-General's persistent commitment and leadership on this topic, and thanks him for his report. We also acknowledge and praise the equally important role of the Office of Legal Affairs in cases involving allegations that a crime may have been committed by a UN official or expert on mission.

Furthermore, Member States also have a paramount role to play. They must establish national legal and practical frameworks suitable to ensure criminal accountability of UN officials and experts on mission, namely by allocating adequate and effective resources allowing them to exercise jurisdiction.

Mr. Chairman,

With several nationals deployed as UN officials or experts on mission, Portugal takes very seriously any crime, or allegations thereof, that may involve them and that are brought to the attention of Portuguese authorities.

Portugal has repeatedly responded to requests by the Secretary-General on the implementation of GA Resolutions under this agenda item. We have provided information on national provisions regarding the establishment of Portuguese jurisdiction allowing for a criminal prosecution of a UN official or an expert on mission, whose immunity has been waived, for facts committed in or outside the Portuguese territory, within certain conditions. This competence is articulated with international judicial co-operation in criminal matters, giving effect to the *aut dedere aut judicare* principle.

In addition to reactive measures by Member States and by the United Nations, my delegation continues to stress the importance of preventive measures – such as pre-deployment training of armed forces and security forces personnel, including on good-conduct and discipline.

Mr. Chairman,

Portugal takes good note of the recommendation of the Secretary-General in his report; and we particularly encourage legislative bodies of the UN system and related organisations to help ensuring the coherence and coordination of policies and procedures relating to the reporting, investigation, referral and follow-up of credible allegations of a crime committed by personnel of such agencies and organizations who fall outside the scope of GA resolutions, with policies and procedures consistent with the rules applying to UN officials and experts on mission.

My delegation also encourages the United Nations and Members States to continue working on the prevention and prosecution of crimes committed by UN officials and experts on mission in an effective and transparent manner.

Thank you, Mr. Chairman.