



MALAYSIA

Permanent Mission to the United Nations, New York

**STATEMENT BY
MS. NUR AZURA ABD KARIM
COUNSELLOR
PERMANENT MISSION OF MALAYSIA TO THE UNITED NATIONS**

**ON AGENDA ITEM 76:
CRIMINAL ACCOUNTABILITY OF UNITED NATIONS OFFICIALS
AND EXPERTS ON MISSION**

**AT THE SIXTH COMMITTEE OF
THE 78TH SESSION OF THE GENERAL ASSEMBLY**

NEW YORK, 10 OCTOBER 2023

Mr. Chair,

My delegation wishes to align our statement with that made by the Islamic Republic of Iran on behalf of the Non-Aligned Movement (NAM).

2. We thank the Secretary-General for his reports on the criminal accountability of UN officials and experts on mission. Malaysia unequivocally supports the United Nation's consistent efforts and zero tolerance policy against criminal conduct, especially sexual exploitation and abuse, committed by United Nations (UN) officials and experts while on mission.

3. Malaysia notes with appreciation in particular the updates regarding the UN system's policies and procedures relating to the reporting, investigation, referral and follow-up of credible allegations of crimes committed by UN officials or experts on mission. My delegation is pleased that considerable efforts are being consistently made by the Secretariat as well as its affiliated funds and programmes, specialised agencies and related organisations, to institute and implement relevant policies and procedure in

this regard. We appreciate, among others, the practical measures taken to strengthen existing pre-deployment training and vetting measures, including through the use of the Clear Check database.

Mr. Chair,

4. With reference to the report of the Secretary-General in A/78/248, my delegation notes from the report that 11 cases were referred to States of nationality during the reporting period, adding to what is now a list of 342 allegations of serious criminal offenses committed by UN officials or experts since 2007. In this regard, Malaysia remains concerned that many Member States have failed to provide information on cases of alleged criminal conduct by UN officials and experts on mission. As the list of referred cases lengthened and States failed to provide the necessary information on follow-up, the pressure on the UN and its Member States to address the problem increases. If this is allowed to persist, it could negatively affect the confidence of countries in accepting UN officials and experts on mission.

5. Malaysia continues to reiterate that Member States have a primary responsibility for establishing jurisdiction for crimes committed by their nationals while serving on UN missions. In this regard, Malaysia strongly encourages States that had not provided the required information regarding those cases as well as the implementation of relevant resolutions, to do so. Malaysia's Position and Observations of the Implementation of Resolution 77/98 of 7 December 2022 is available online in the Compilation of Government Comments maintained by the Secretariat.

Mr. Chair,

6. The issue of the criminal accountability of UN officials and experts on mission is relevant to Malaysia as both the sending country and the receiving country. As a responsible Member of the UN, Malaysia upholds and adheres to its obligations under the UN Charter as well as related instruments such as the UN Convention on the Privileges and Immunities. Malaysia gives effect to these obligations primarily through the International Organisations (Privileges and Immunities) Act 1992 [Act 485] and

Regulations made under it. Malaysia also expects that the UN and its officials and experts on mission will respect and comply with Malaysian law and procedures when carrying out their missions on Malaysian territory.

Mr. Chair,

7. Malaysia is a stalwart supporter of the UN's central role in the maintenance of international peace and security. As a sign of this commitment, Malaysia has participated in 38 UN Peacekeeping Operations, involving nearly 40,000 military personnel and civilian police personnel since 1960. In keeping abreast with the new scope and dimension of peacekeeping operations, the Malaysian Peacekeeping Centre established in 1996 continues to adapt to meet new standards and conduct of present-day peacekeeping operations. Malaysia remains committed to providing capacity-building training for peacekeepers, including on the protection of civilians and gender mainstreaming, through the Centre.

8. In conclusion, Malaysia reiterates its commitment to working together with other Member States on this issue and to explore appropriate mechanisms in dealing with the criminal accountability of UN officials and experts on mission. In order to be successful, those efforts would need genuine cooperation from Member States, especially the State of nationality of the alleged perpetrator. It is therefore crucial for Member States to exercise their jurisdiction by duly investigating allegations and prosecuting the alleged offenders.

Thank you.