



NEPAL

Statement by H.E. Lok Bahadur Thapa, Ambassador/Permanent Representative of Nepal to the United Nations at the 78th Session of the Sixth Committee of the UN General Assembly on agenda item 76:

'Criminal Accountability of the United Nations Officials and Experts on Mission'

(New York, 10 October 2023)

Mr. Chair,

I would like to thank you for holding the Committee debate on this pertinent agenda item.

Our sincere thanks and appreciation to the Secretary-General for his comprehensive reports.

Aligning with the statement delivered on behalf of the Non-Aligned Movement, my delegation is adding a few points in our national capacity.

Mr. Chair,

The crucial role and relevance of the United Nations in the maintenance of international peace and security, acceleration of the 2030 Agenda for sustainable development, and promotion of social justice and human rights cannot be more exaggerated.

United Nations officials and experts on mission are the frontliners whose role in advancing the principles and purposes of the United Nations in the field would shape the public image of this important Organization.

UN personnel should be exemplified by their professionalism, conduct, and discipline in the field embodying the credibility, integrity, and overall respect of the UN.

Their highest standard of behavior and performance during their services can only win civic trust and confidence.

Only the United Nations is their ultimate beacon of hope for the people in desperate need of peace and security as well as humanitarian assistance.

Mr. Chair,

Timely response to the referrals of the UN Secretariat with status updates on the investigation of credible allegations and prosecution of criminal cases is crucial to render justice to the victims.

Any criminal misconduct, fraud, and unethical offense committed by UN officials and experts on mission must not be condoned under any pretext.

No UN personnel should abuse the loophole of diplomatic immunity for impunity.

The state of nationality of the alleged UN personnel or experts should be primarily responsible not only for the investigation and prosecution of the criminal conduct but also for holding the perpetrator accountable.

Impactful implementation of the Secretary General's zero-tolerance policy to allegations of criminal acts, fraud, corruption, and financial crimes is essential for ending impunity.

Mr. Chair,

Nepal is firmly committed to holding its nationals serving as UN personnel accountable for their commission of crime while serving under the UN's flag.

Also, we are adopting various measures to prevent, investigate, and hold accountable our personnel for criminal conduct, including sexual exploitation and abuse.

Nepal acknowledges the significance of UN resolutions in encouraging Member States to exercise criminal jurisdiction over their UN officials and experts on missions for credible criminal allegations. We reaffirm our commitment to the implementation of all relevant UN resolutions.

Nepal commends the Secretary-General's initiatives on the improvement and harmonization of policies of the UN system to improve UN response to sexual exploitation and abuse.

The conduct and discipline focal point established at the Secretariat has been crucial in curbing criminal incidents by UN officials and experts on the mission.

Mr. Chair,

Nepal attaches greater significance to the UN peacekeeping operations in the maintenance of peace and security across the world.

Nepal is one of the oldest and largest TPCCs. It cherishes 65 years long experience of uninterrupted participation and contribution in delivering UN peacekeeping mandates in various conflict-affected/prone parts of the world without any caveat even in the short call of the United Nations.

We remain committed to upholding the highest standard of conduct, professionalism, respect for human rights, self-discipline, and integrity of our peacekeepers deployed on mission.

Nepal fully subscribes to the zero-tolerance policy in cases of sexual exploitation and abuse. We aim at the maintenance of a zero-incidence scenario.

However, some individual incidents of misconduct should not be generalized to naming and shaming the mission and the country as a whole and it should be resolved individually.

Pre-deployment as well as in-mission orientations and trainings about UN standards, local rules and regulations, and provisions of severe punishment in cases of substantiated allegations, including sexual exploitation and abuse, are provided to Nepali officials.

We are committed to continuing the increasing trend of deploying female peacekeepers. This, we view, may reduce the cases of sexual exploitation and abuse committed by the peacekeepers.

Nepal has incorporated extraterritorial criminal jurisdiction in its Military Act to hold its troops accountable for criminal cases committed by them while on UN Mission.

The National Penal (Code) Act has legal provisions for fines and imprisonment to its citizens regardless of the territorial jurisdiction of the crimes. Nepali perpetrators are brought to trial for their commission of crimes in any office of the foreign diplomatic mission or international or intergovernmental organization.

Nepal fully complies with the voluntary compact on preventing and addressing sexual exploitation and abuse. In this vein, we welcome the UN Security Council Resolution 2272. Also, we are implementing Security Council Resolutions 1325 and 1820 on Women, Peace, and Security.

Mr. Chair,

For criminal accountability of UN officials and experts on mission we must reinforce our cooperation and coordination among UN Secretariat, field Mission, host State, and State of nationality of the alleged.

Justice for the victims and protection of witnesses and whistleblowers must be ensured through adequate adoption of appropriate measures.

Capacity-building support and technical assistance to Member States in closing the jurisdictional gap as well as accelerating the investigation and prosecution of serious crimes committed by UN officials and experts on mission should also receive due attention for international cooperation.

To conclude, **Mr. Chair**, our solidarity to perpetuity is vital for preserving the UN's credibility and integrity. Therefore, we are willing to collaborate with all stakeholders to hold UN personnel accountable for their criminal conduct.

Humanity is much beyond immunity.

Thank you.