

6th Committee of the 79th Session of the UNGA

(Agenda Item 76)

15 October 2024

“Criminal accountability of United Nations officials and experts on Mission”

Statement by India

Mr. Chairman,

India aligns itself with the statement made on behalf of the NAM. In our national capacity, we would like to add the following remarks.

Mr. Chairman,

We welcome the Report of the Secretary General A/79/189 on “Criminal accountability of United Nations officials and experts on mission, submitted pursuant to the General Assembly resolution 78/102.

The instances of crimes being committed by the United Nations officials and experts on mission seriously undermines the image, credibility and integrity of the Organization. We strongly condemn all kind of crimes committed by them which defeats the purposes and principles of the United Nations.

The report provides updates to policies and procedures relating to the reporting, investigation, referral and follow-up of credible allegations revealing that a crime may have been committed by United Nations officials or experts on mission and to develop recommendations to help to ensure that the relevant policies and procedures are coherent, systematic and coordinated throughout the United Nations system.

Mr. Chairman,

We note with appreciation that the reporting mechanisms of various UN agencies and treaty bodies emphasizes that leadership, transparency and accountability are essential in eradicating misconduct within the United Nations system.

It is evident from the Secretary General’s report, that as of the date of preparation of the present report, the Secretariat has been informed in only two cases of action taken in relation to referrals made during the reporting period. We hope that in the remaining cases, the concerned States will conduct thorough investigation and prosecute and, if

found guilty, punish the accused officials concerned. It is a matter of concern to see the significant number of instances where States to which allegations have been referred to, are failing to report on the steps taken in response to such referrals.

We acknowledge that the primary responsibility to hold perpetrators accountable lies with member States. Achieving this objective can only be realized through collaborative efforts and cooperation between States and the UN, with each fulfilling their respective roles. It is essential for the UN to promptly inform and consult the State of nationality of the alleged offender. Equally important is that the State acts swiftly, establishes and exercises jurisdiction, conducts investigations and prosecute when warranted.

The General Assembly resolution 78/102 strongly urges all those States which have not yet done so to consider establishing, jurisdiction over crimes, of a serious nature, committed by their nationals while on the United Nations mission, serving as its officials or experts on mission, at least where such conduct is considered as crime or illegal under their laws and also constitutes a crime under the laws of the host state and, further, urges States and international organizations concerned to provide technical and other appropriate assistance in developing such legal measures to those States requesting for such support or assistance. Implementation of this element would help fill the jurisdictional gap in respect of member States, which do not assert extra-territorial jurisdiction over crimes committed abroad by their nationals.

In conclusion we would like to re-iterate the need for regular contribution to the Secretary General's Trust fund created to assist victims of sexual exploitation and abuse. India has been regularly contributing and hopes that all the member States would do the same. We would like to re-iterate that India ascribes to the zero tolerance policy and considers it extremely important that violation of any national or international law by the UN officials and experts on mission is properly investigated and prosecuted. The UN officials and experts should act and perform their duties in a manner consistent with the UN Charter that promotes the image, credibility and integrity of the Organization.

Thank you, Mr. Chairman.