

Seventy-ninth session
Sixth Committee
Agenda item 76

Criminal accountability of United Nations Officials and Experts on Mission

Oral report of the Chair of the Working Group

Chair: Marvin **Ikondere** (Uganda)

I. Introduction

1. Pursuant to General Assembly resolution 78/102 of 7 December 2023, the Sixth Committee decided, at its 1st meeting, on 2 October 2024, to establish a working group, with the view to continuing the consideration of the report of the Group of Legal Experts (A/60/980), in particular its legal aspects, taking into account the views of Member States and also noting the inputs by the Secretariat. The Committee also decided to open the Working Group to all States Members of the United Nations or members of the specialized agencies or of the International Atomic Energy Agency.

2. At its 1st meeting, on 2 October 2024, the Sixth Committee also elected Mr. Marvin **Ikondere** as Chairperson of the Working Group.

3. The Working Group had before it the report of the Group of Legal Experts on ensuring the accountability of United Nations staff and experts on mission with respect to criminal acts committed in peacekeeping operations (A/60/980); the two reports of the Secretary-General at the present session (A/79/185, and A/79/189), as well as the previous reports of the Secretary-General on the item (A/63/260 and Add.1; A/63/331; A/64/183 and Add.1; A/65/185; A/66/174 and Add.1; A/67/213; A/68/173; A/69/210; A/70/208; A/71/167; A/72/121, A/72/126 and A/72/205; A/73/129, A/73/128; A/73/155, A/74/142, A/74/145, A/75/228, A/75/217, A/76/205, A/76/208, A/77/225, A/77/237, A/78/248 and A/78/275, together with a web-based update of the information on national provisions); the Note by the Secretariat on criminal accountability of United Nations officials and experts on mission (A/62/329); and General Assembly resolution 78/102 of 7 December 2023.

II. Proceedings of the Working Group

4. Pursuant to paragraph 16 of resolution 78/109, representatives of the Disciplinary Accountability Service and the Conduct and Discipline Service, Administrative Law Division, Office of Human Resources, of the Department of Management Strategy, Policy and Compliance, the Ethics Office, the Office of Internal Oversight Services, the Office of the Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse, the Victims' Rights Advocate and the Office of Legal Affairs of the United

Nations Secretariat were present on 18 October 2024 to provide a briefing to delegates. The briefing was followed by question and answer segment.

5. The Working Group held two meetings, on 18 and 31 October 2024. This was against the backdrop of the plenary debate at the 12th and 13th meetings of the Sixth Committee, on 14 and 15 October 2024. The Working Group adopted its programme of work and agreed to conduct its discussions in the framework of informal consultations.

6. The Working Group focused its consultations on whether the criminal accountability of United Nations officials and experts on mission should be addressed in the form of a convention, and if so, when; on which substantive issues a convention should cover; and on any matters that could be included in this year's resolution to further enhance the mechanisms of accountability initially developed in resolutions 62/63 and 63/119.

7. The following section of the report constitutes a brief informal summary for reference purposes only, not an official record of the proceedings, of the exchange of views in the Working Group.

III. Informal summary of discussions in the Working Group

8. During their briefing, the Secretariat representatives set out the respective roles and responsibilities of their units in addressing the item under examination, and provided updates on relevant policies and procedures, as well as information on other developments.

9. At its meetings, on 18th and 31st October, the Working Group had an exchange of views among delegations regarding the three questions mentioned above (para. 6). Delegations generally agreed on the importance of ensuring that United Nations officials and experts on missions who committed crimes are held accountable. Delegations reiterated the need to prevent and respond to such crimes, including both economic crimes and sexual exploitation and abuse. Openness to the continued consideration of a possible convention was expressed. In general, a better understanding of gaps in the current system was called for. Confidence was also expressed in the measures adopted by the General Assembly to ensure the criminal accountability of United Nations officials and experts on mission, and in light of that, the view was expressed that there were at present no grounds for the adoption of a convention. Concerning the draft resolution, it was noted that a relatively high proportion of the allegations reflecting in the report of the Secretary-General concerned financial crimes, including fraud and corruption. It was suggested that delegations would find helpful further information on the financial losses to the Organization resulting from such crimes, measures taken by the Organization to hold those responsible accountable and recover losses, measures to coordinate approaches across the United Nations system and the main difficulties, if any, in tackling such crimes.

Mr. Chair,

10. I am most grateful to delegations for their cooperation and assistance. In my capacity as Chair of the Working Group, I remain available to work with delegations to

ensure that that there is no impunity for criminal activity committed by United Nations officials and experts on mission. This concludes my oral report on the work of the Working Group on Criminal Accountability of United Nations Officials and Experts on Mission at this year's session.

Thank you.