

Statement by Ms. Pham Thi Thu Huong, Representative of Viet Nam
At the Sixth Committee of the 69th Session of the General Assembly
On Agenda Item 75 “Criminal Accountability of United Nations officials and
experts on mission”

October 22th, 2014

Mr. Chairman,

Viet Nam aligns itself with the statement made by the distinguished delegate from Iran on behalf of the Non-Aligned Movement. Viet Nam welcomes the latest Report of the Secretary General (A/69/210) dated 31 July 2014 on criminal accountability of United Nations officials and experts on mission, which was prepared on the basis of information received from the governments of Colombia, El Salvador and Finland and the Secretariat.

Mr. Chairman,

It is generally recognized that United Nations officials and experts, in particular the United National peace keeping personnel, play an important role in maintaining international peace and security all over the world. Viet Nam begins participating in UN peace keeping operation from this year and we highly appreciate the contribution made by the United Nations personnel in this regard. However, we would like to stress that the criminal conducts and misconducts of the officials and experts on mission such as sexual exploitation and abuse detrimentally and negatively affect the image, credibility, impartiality and integrity of the United Nations. The criminal acts committed by United Nations officials and experts on mission, therefore, must be subject to criminal accountability. Our delegation strongly supports for the zero tolerance policy of the United Nations in this respect. In our view, the privileges and immunities of the United Nations officials and experts on mission should be respected

but at the same time, the rule of law must be implemented and criminal justice must be done.

Accordingly, we attach the highest importance to the need for further measures to close jurisdictional gaps in order to avoid impunity of the United Nations officials and experts who commit serious crimes. We call upon all States to take necessary steps, including adoption of legislation and enhancement of international cooperation, to ensure criminal accountability of their nationals for any offence committed while on United Nations mission. As for Viet Nam, we have adopted in our Penal Code a provision that allows the exercise of extraterritorial jurisdiction over crimes committed by Vietnamese nationals in other countries in certain circumstances. Under Article 6 paragraph 1 of the Penal Code, any Vietnamese citizen who commits offenses outside the territory of Viet Nam may be prosecuted for such offences in Vietnam in accordance with the Code. We also conclude many agreements with other States on extradition and mutual legal assistance in criminal matters, including cooperation in the areas of investigation, exchange of information, collection of evidence and judicial process.

Mr. Chairman,

Our delegation notes with appreciation the recent referrals by the United Nations of 15 cases of alleged criminal conducts to the States of nationality of the officials or experts on mission for investigation and possible prosecution.

We wish to work together with the other States on this issue and look forward to the consideration and discussion of 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 peace keeping operations (A/60/980) at the seventieth session of the General Assembly.

I thank you, Mr. Chairman.