



UNITED STATES MISSION TO THE UNITED NATIONS

799 UNITED NATIONS PLAZA
NEW YORK, N. Y. 10017-3505

United States Statement UN General Assembly Sixth Committee – October 12, 2012 Criminal Accountability of United Nations Officials and Experts on Mission Agenda Item 76

Mr. Chairperson:

The United States believes it is important for the General Assembly to remain seized of this issue. It is absolutely critical that UN officials and experts on mission should be held accountable if they commit crimes. While we appreciate the progress made in this regard, we look forward to working with Member States and the United Nations to continue to build on those efforts.

In this regard, we welcome the Secretary-General's report on Criminal Accountability of United Nations officials and experts on mission, which is especially useful in two ways. First, it includes information provided by some governments on the extent to which they have domestic jurisdiction over crimes of a serious nature committed by their nationals while serving as UN officials or experts on mission. Second, it includes information submitted by certain governments concerning their cooperation with the United Nations in the exchange of information and the facilitation of investigations and prosecutions of such individuals, as well as the information provided concerning activities within the Secretariat in relation to General Assembly resolutions on this topic.

We acknowledge the UN's efforts to refer credible allegations against UN officials to the State of the alleged offender's nationality during the July 1, 2011 to June 30, 2012 reporting period. We note that there were seventeen referrals during this period; an increase from the six reported last year. This suggests that the UN's efforts to take practical measures to strengthen existing training on United Nations standards of conduct, including through pre-deployment and in-mission training, may be having an effect in increasing awareness of, and the need to report, violations.

But it is the actions of Member States that are the key to curbing abuses by their nationals serving in a UN peacekeeping or other capacity. All UN Member States stand to benefit from the culture of accountability to which the Secretariat's reporting on efforts taken by States to investigate and prosecute referred cases contributes. We therefore urge Member States to take appropriate action with regard to those individuals and report to the United Nations on the disposition of the cases.

This year, the Sixth Committee will be considering the report of the Group of Legal Experts, which recommended a multilateral convention as a way of addressing this issue. We are not convinced that such a convention would present the most efficient or effective means through which to ensure accountability, particularly when it is unclear whether lack of jurisdiction over crimes is the principal reason for any current difficulties that may exist in carrying out prosecutions. A convention that merely closes theoretical gaps in jurisdiction would not make a significant contribution to ensuring the prosecution of these crimes if impediments to accountability lie elsewhere. Examples of other potential impediments include lack of political will, resources, or expertise to prosecute cases effectively and local laws that do not address the age of consent adequately. One possibility this Committee might consider is asking the Secretary-General to examine and report on what obstacles may have blocked effective prosecutions in the past.

Finally, we urge States to redouble their efforts to develop practical ways to address the need for accountability. Ultimately, the burden is on States to act. And this is a responsibility States must take seriously. We would support efforts to provide Member States with assistance to close any gaps in their laws or legal systems relating to accountability.

Thank you, Mr. Chairperson.