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**STATEMENT**

**BY**

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**PERMANENT MISSION OF INDIA TO THE UNITED NATIONS**

**ON**

**AGENDA ITEM 80**

**“CRIMINAL ACCOUNTABILITY OF UNITED NATIONS OFFICIALS AND  
EXPERTS ON MISSION”**

**AT THE**

**SIXTH COMMITTEE OF THE 70<sup>TH</sup> SESSION OF THE  
UNITED NATIONS GENERAL ASSEMBLY**

**NEW YORK**

**OCTOBER 16, 2015**

Mr. Chairman,

A central purpose of the United Nations is to maintain international peace and security around the world, as set out in the Article 1 of the UN Charter. When UN officials and experts on mission commit crimes during attempts to fulfil this purpose, it seriously undermines the image, credibility and integrity of the Organization.

We welcome the Report of the Secretary General A/70/208 on this agenda item, submitted pursuant to the General Assembly resolution 69/114.

The Report outlines the information received from certain States on their national laws establishing jurisdiction over crimes of a serious nature, committed by their nationals while serving as United Nations officials or experts on mission. It also provides information on cooperation among States and with the United Nations in the investigation and prosecution of such crimes; and other practical measures to strengthen existing training methods and standards of conduct, including through pre-deployment and in-mission induction training.

Mr. Chairman,

According to paragraph 28 of the Secretary-General's report, during the period reported upon, cases of twenty-two UN officials or experts on mission, were referred to the States of their nationalities for investigation and prosecution. While we are confident that the concerned States will conduct thorough investigation and prosecution and if found guilty, will punish the officials involved, it is worrying to see the increase in number of cases reported over the years.

We note with appreciation the information in paragraph 36 of the report that the awareness-raising activities continue to emphasize the obligations of all United Nations personnel to observe the laws of the host country, and the consequences of failing to do so.

Mr. Chairman,

The Operative para.5 of the General Assembly resolution 69/114 strongly urges all States to consider establishing jurisdiction over crimes committed by their nationals while serving as United Nations officials or experts on mission, at least where the conduct of the person amounts to a crime both in the host

country and the country of his nationality. It is our considered view that 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.

Mr. Chairman,

We reiterate our view that dealing with the wrongdoings of UN officials or experts on mission, does not require the development of an international convention. What is necessary is that the member States should ensure that their laws provide for jurisdiction and have adequate provisions for prosecuting any such conduct of their nationals serving as UN officials or experts on mission abroad, and the laws should have provisions for international assistance for the investigation and prosecution of the crimes committed.

Mr. Chairman,

The Indian Penal Code and the Code of Criminal Procedure of India have provisions to deal with extra-territorial offences committed by Indian nationals and for seeking and providing assistance in criminal matters. The Indian Extradition Act, 1962 deals with extradition of fugitive criminals and the related issues. The Act allows for extradition in respect of extraditable offences in terms of an extradition treaty with another State. In the absence of bilateral treaty, our Act also allows an international convention as the legal basis for considering an extradition request.

Thank you.