



**Statement on behalf of the European Union and its Member States**

**at the Sixth Committee**

**on the Agenda item 78:**

**"Criminal Accountability of United Nations  
Officials and Experts on Mission"**

**United Nations**

**New York**

**10 October 2019**

**– CHECK AGAINST DELIVERY –**

Mr. Chairman,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries Turkey, the Republic of North Macedonia\*, Montenegro\* and Albania\*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA country Liechtenstein, member of the European Economic Area, as well as Ukraine, the Republic of Moldova and Georgia, align themselves with this statement.

The European Union and its Member States **thank the Secretary-General** for his reports on the criminal accountability of United Nations officials and experts on mission pursuant to resolution 73/196 and for his continued commitment to the prevention of and the fight against impunity for crimes committed by all personnel serving under the UN flag.

Despite the UN's zero tolerance policy for sexual exploitation and abuse, allegations of sexual exploitation and abuse **continue**. Moreover, allegations of other crimes have also been reported. If we want the UN to fulfill its mandate, being a credible and effective partner for victims and host States, we must work together to bring the perpetrators of these crimes to justice.

Since the primary responsibility for bringing perpetrators to justice rests with **Member States**, it is crucial that the State of nationality of an alleged offender is promptly informed and consulted by the UN. It is equally crucial that the State of nationality exercises its jurisdiction and that these crimes are investigated and prosecuted as appropriate.

We commend the Secretariat's continued efforts to gather relevant information and encourage all States to answer to requests for information made by the UN on investigations and prosecutions undertaken by the competent national authorities, including, where appropriate, the reasons why investigations or prosecutions have not been pursued. We also commend the Secretariat's efforts to establish a list of points of contact for efficient communication and cooperation in these matters between the UN and the Member States pursuant to resolution 73/196. It is encouraging that some States have submitted information in this regard.

We acknowledge the Secretary-General's continued efforts to further strengthen coordination and coherence within the United Nations system. As recommended in the report of the Secretary-General, **all UN specialized agencies and related organisations** should help ensure the coherence and coordination of policies and procedures related to the reporting, investigation, referral and follow-up of credible allegations of crimes that may have been committed by personnel.

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\* *The Republic of North Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.*

The EU itself requires that all civilian and military personnel serving in Common Security and Defense Policy missions and operations maintain the highest standards of behaviour and conduct. In this regard, the EU has developed an Upgraded Generic Standards of Behaviour for its Missions and Operations as well as a Code of Conduct and Discipline for EU Civilian missions. They provide a unified set of rules, related to criminal acts, guaranteeing that procedures will be conducted objectively, independently and impartially, whilst maintaining the highest standards of integrity, confidentiality as required, transparency and due process.

We note that **training and awareness-raising** on UN standards of conduct is an indispensable preventive measure that should remain at the core of action by field missions and at UN Headquarters level. In this regard, the EU is committed to continuing exchanges of best practices with the UN. In the EU, all training reflects the principles of human rights, international humanitarian law, the rule of law and democracy, as well as UN Resolutions (including UNSCR 1325 on women, peace and security), gender and combatting sexual violence in conflict.

The EU and its Member States support the effective combination of **short-term measures with long-term processes** to address the jurisdictional gaps and obstacles to accountability. We welcome efforts to provide requesting States with technical and other appropriate assistance in developing relevant national legal measures. In the long-term, the European Union and its Member States remain ready to consider a proposal for a comprehensive international legal framework, which would clarify the circumstances under which UN Member States can exercise jurisdiction, as well as the categories of individuals and crimes subject to that jurisdiction.

Thank you, Mr. Chairman.