



MALAYSIA

Permanent Mission to the United Nations, New York

**STATEMENT BY
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PERMANENT MISSION OF MALAYSIA TO THE UNITED NATIONS**

**ON AGENDA ITEM 77:
CRIMINAL ACCOUNTABILITY OF UNITED NATIONS OFFICIALS
AND EXPERTS ON MISSION**

**AT THE SIXTH COMMITTEE OF
THE 75TH SESSION OF THE GENERAL ASSEMBLY**

NEW YORK, 12 OCTOBER 2020

Mr. Chair,

Malaysia wishes to thank the Secretary-General for his report *A/75/228*, which was prepared pursuant to resolution 74/181. This year, Malaysia is pleased to be among the Member States which have submitted their comments regarding national provisions establishing jurisdiction over crimes, particularly those of a serious nature as defined in their national criminal laws, committed by their nationals while serving as United Nations officials or experts on mission.

Mr. Chair,

2. As a responsible Member of the United Nations, Malaysia upholds and adheres to its obligations under the Charter of the United Nations as well as related instruments such as the United Nations Convention on the Privileges and Immunities. Malaysia gives effect to these obligations primarily through the International Organisations (Privileges and Immunities) Act 1992 [*Act 485*] and Regulations made under it. Malaysia also expects that the United Nations and its officials and experts on mission will respect and comply with Malaysian law and procedures when carrying out their missions on Malaysian territory. Thus, the issue of the criminal accountability of United Nations officials and

experts on mission is relevant to Malaysia as both the sending country and the receiving country.

3. Malaysia fully supports the zero-tolerance policy of the United Nations concerning criminal conduct, especially of sexual exploitation and abuse, committed by United Nations officials and experts while on mission. We note with concern from the Secretary-General's report that little to no information have been provided to the United Nations by the sending State regarding the investigation or prosecutions undertaken for 219 serious criminal offences that have allegedly been committed since 2007.

4. As the list of referred cases lengthened and States failed to provide the necessary information on follow-up, the pressure on the United Nations and its Member States to address the problem increases. In this regard, Malaysia strongly encourages States that had not provided the required information regarding those cases to do so. Member States have a primary responsibility for establishing jurisdiction for crimes committed by their nationals while serving on United Nations missions.

Mr. Chair,

5. Malaysia is a stalwart supporter of the United Nations' central role in the maintenance of international peace and security. As a sign of this commitment, Malaysia has participated in over 34 United Nations Peacekeeping Operations, involving more than 35,000 military personnel and about 1,000 civilian police personnel since 1960. In keeping abreast with new scope and dimension of peacekeeping operations, the Malaysian Peacekeeping Centre established in 1996 continues to adapt to meet new standards and conduct of present day peacekeeping operations. The centre also provides training for peacekeepers from the Southeast Asia region and beyond. Malaysia, therefore, views with concern any act which discredits the noble efforts and sacrifices of United Nations personnel and experts on peacekeeping and other missions.

6. In conclusion, Malaysia reiterates its commitment to work together with other Member States on this issue and to explore appropriate mechanisms in dealing with the criminal accountability of United Nations officials and experts on mission. These efforts require genuine cooperation from Member States, especially the State of nationality of the alleged perpetrator. It is therefore crucial for Member States to cooperate by duly

investigating allegations and prosecuting the alleged offenders, including by exercising their jurisdiction.

Thank you.