



AUSTRALIA



AUSTRALIAN MISSION TO THE UNITED NATIONS

E-mail australia@un.int

150 East 42nd Street, New York NY 10017-5612 Ph 212 - 351 6600 Fax 212 - 351 6610 www.australia-unsc.gov.au

UNITED NATIONS GENERAL ASSEMBLY SIXTH COMMITTEE: CRIMINAL ACCOUNTABILITY OF UNITED NATIONS OFFICIALS AND EXPERTS ON MISSION

12 October 2021

Statement by Canada, Australia and New Zealand (CANZ)

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I have the honour to speak today on behalf of Canada and New Zealand, as well as my own country, Australia.

United Nations (UN) officials and experts continue to perform critical work to ensure peace, justice and the rule of law, despite the pandemic. We recognise the meaningful impact of their work and the challenges they face, including risking their lives to help the most vulnerable.

The international community entrusts UN officials and experts to fulfil their mandates, including protecting vulnerable communities and helping create the conditions for lasting peace.

In doing so, they are in a position of trust and authority and must exhibit the highest standards of integrity, as articulated in Article 101 of the UN Charter.

We applaud the important work of the UN officials and experts on mission, specifically noting the three uniformed groups – corrections, military and police – who discharge their functions dutifully.

Allegations of criminal activities, including sexual exploitation and abuse, fraud and corruption, as well as sexual harassment committed by a few UN officials or experts, undermine the integrity, credibility and trust we place in the UN to serve and deliver on behalf of the international community.

Circumstances where there are allegations of deplorable conduct carried out by UN officials and experts are compounded by a failure to hold perpetrators to account for their criminal conduct through meaningful accountability mechanisms.

To close the impunity gap, Member States and the UN must continue to strengthen their mechanisms for preventing and responding to crimes, including by building a culture that is supportive to victims and individuals who report misconduct. This includes transparent and timely responses to allegations and a greater visibility of victim support services in the field.

To help remove barriers to reporting misconduct, we must ensure there are appropriate safeguards against reprisals to those who report or witness misconduct. Where immunities apply, these must not be used as a shield to protect perpetrators from accountability.

Prevention is key. Appropriate screening and training for UN officials and experts prior to deployment is essential.

We recognise the ongoing work of the Secretary-General in addressing this issue. We wholeheartedly support the Secretary-General's zero-tolerance policy for such criminal activities, including sexual exploitation and abuse.

We thank the Secretary-General for his latest report and endorse the recommendation for Member States to encourage UN bodies and agencies to adopt coherent policies for investigating crimes allegedly committed by UN personnel who fall outside the scope of General Assembly resolutions related to UN officials and experts on mission.

This will send a strong signal that there is no place for criminal conduct anywhere within UN system. Equally, there is no place for sexual harassment.

We are encouraged that the UN system has strengthened efforts to prioritise victims' rights and has been listening to victims.

However, the pandemic has deepened existing inequalities and exposed those in vulnerable situations to increased risks of sexual exploitation and abuse. It has also adversely impacted the ability to investigate allegations and provide assistance to victims.

We are troubled that over the past year, there have been reports that some UN officials and experts have continued to engage in criminal activities, and we are particularly concerned over allegations of sexual exploitation and abuse.

In this regard, the incidences of harassment and abuse of power in the Democratic Republic of Congo, as set out in the recent World Health Organisation independent commission report, are distressing and entirely unacceptable.

Added to this, we note the open-source reporting on sexual harassment, assault and misconduct within the UN system, including against UN interns, volunteers and contractors.

Regrettably, in addition to the failures of the UN system, a number of States have not yet established jurisdiction over crimes committed by UN officials and experts.

We strongly encourage Member States and the UN to intensify its efforts to prevent, investigate and hold personnel to account for criminal conduct, including through continued cooperation and funding.

We encourage Member States who have not done so, to establish jurisdiction over crimes committed by nationals while serving as UN officials or experts on mission. We stand ready to provide assistance, as appropriate, to States requesting support in developing such measures.

Member States should investigate and prosecute allegations of criminal conduct carried out by their nationals in accordance with their domestic laws. Appropriate criminal accountability measures should also be in place to prevent and deter future crimes. We also need to protect victims and

ensure their complaints are taken seriously. Such elements are key for accountability processes.

We encourage Member States to share lessons learned from investigating and prosecuting their nationals alleged to have committed crimes in their capacity as UN officials and experts. We would appreciate any insights on obstacles to accountability, and how these have been overcome.

We continue to support, in principle, the proposal for a convention that would address issues related to the exercise of jurisdiction by Member States over their nationals participating in UN operations abroad. We welcome further dialogue on the feasibility of such a convention.

Australia, Canada and New Zealand consider the issue of accountability for sexual exploitation and abuse, as well as fraud and corruption and sexual harassment, to be of utmost importance. We remain committed to ending impunity for such actions through criminal accountability mechanisms.

Thank you.