



Statement by Mr. Naser Asiabipour
Legal Advisor, Ministry of Foreign Affairs of the Islamic Republic of Iran
Before the Sixth Committee of the
76th Session of the United Nations General Assembly
on
“Criminal accountability of the United Nations officials and experts on mission”
(Agenda item 79)
New York, 12 October 2021

Mr. Chairman,

At the outset, I would like to extend my appreciation to the Secretary-General for the preparation of his report contained in documents A/76/205 and A/76/208.

I align myself with the statement delivered on behalf of the Non-Aligned Movement and would like to deliver the following in my national capacity.

While recognizing the valuable contributions and sacrifices that have been made by United Nations officials and experts on mission to fulfil the purposes of the Charter, the Islamic Republic of Iran strongly supports efforts to preserve the credibility, reputation and integrity of the UN system by bringing the perpetrators of any crimes among the UN officials and experts on mission to justice with the aim to combat impunity.

Furthermore, the Islamic Republic of Iran expresses its steadfast support of the United Nations’ zero-tolerance policy on sexual exploitation and abuse.

In this regard, the Islamic Republic of Iran has taken legislative measures to give effect to its obligations under the UN Charter as well as other relevant instruments, such as the Convention on the Privileges and Immunities of the United Nations. We are also committed not only to the



preparation of a tranquil environment for the work of UN officials in Iran but also to bringing to justice those who violate laws against them. Vice versa, my Government expects UN officials and experts on mission in the Islamic Republic of Iran to fully adhere to the rules and regulations of the Country.

My delegation is of the view that Member States should take a multifaceted and comprehensive approach in upholding the accountability of the perpetrators of wrongful acts or crimes among UN officials or experts on mission combined with preventive as well as punitive measures.

Pre-deployment and in-mission induction training, vetting and awareness-raising as well as supervision by the United Nations and contributing States are all effective tools in crime prevention.

The state of nationality is the appropriate forum for prosecution of alleged crimes. As has been emphasized by resolution A/75/132, it is incumbent upon the Member States to close jurisdictional gaps as well as predict necessary legal bases for mutual legal assistance and extradition for the conduct of criminal proceedings.

While there exists no dispute among States concerning the need to ensure accountability for UN officials and experts on mission who have committed criminal offences, however, there exists no consensus on the future of work. Meanwhile, there is a need to ensure coherence and coordination among policies for an effective response to the existing deficiencies in order to achieve accountability and eliminate impunity. Therefore, it is necessary that the United Nations establish a systematic, coherent and coordinated Platform with the participation of the United Nations, Host Countries and the contributor countries to ensure the



timely and smooth referral of cases, provide as well as exchange evidence and information for use in criminal proceedings and safeguard States' reporting to the Platform regarding the steps to be taken and follow-up thereafter. In this regard, the UN and its Member States must combine efforts to ensure that the "principle of prohibition of double trial and punishment" (Non bis in idem) while conducting disciplinary measures by the UN and criminal proceedings by state of nationality are strictly observed.

Victims must be afforded proper protection, support and access to justice as well as receive proper reparation. Therefore, Member States also should provide legal bases to meet the aforementioned obligations.

Mr. Chairman,

Consistent with the relevant provisions of the consecutive resolutions under this agenda item finalized within resolution A/75/132, the Penal Code as well as the Law of Criminal Procedure of the Islamic Republic of Iran provide legal bases necessary for an effective prosecution of crimes committed by Iranian nationals wherever they have committed such crimes, including those serving as UN officials or experts on mission. Our criminal system is committed to ensuring that Iranian nationals are not able to escape from justice under the pretext of immunity for crimes they have committed.

The Islamic Republic of Iran asserts extraterritorial jurisdiction over crimes committed abroad by its nationals based on the principle of nationality, if that offence has been recognized by Iranian Penal Code. In addition, criminal judicial assistance as well as extradition are permitted by our criminal law based on both bilateral and multilateral treaties as well as the principle of reciprocity in the absence of such agreements on



a case-by-case basis. Our Law of Criminal Procedure also predicts effective protection for witnesses and victims who provide information in relations to crimes.

In conclusion, **Mr. Chairman**, my delegation believes promoting willingness among States, providing legal bases under national laws and systematic cooperation among the UN Secretariat, Host Countries as well as contributing States in the prevention, prosecution and punishment of UN officials and experts on mission in cases where any crime has been committed should be the priority of the UN and its Member States on this specific matter.

Thank you, Mr. Chairman.