



General Assembly

Seventy-fifth session

Official Records

Distr.: General
14 December 2020

Original: English

Sixth Committee

Summary record of the 4th meeting

Held at Headquarters, New York, on Monday, 12 October 2020, at 3 p.m.

Chair: Mr. Skoknic Tapia (Chile)

Contents

Statement by the President of the General Assembly

Agenda item 114: Measures to eliminate international terrorism (*continued*)

Agenda item 77: Criminal accountability of United Nations officials and experts
on mission

This record is subject to correction.

Corrections should be sent as soon as possible, under the signature of a member of the delegation concerned, to the Chief of the Documents Management Section (dms@un.org), and incorporated in a copy of the record.

Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org/>).

20-13448 (E)



Please recycle



The meeting was called to order at 3.05 p.m.

Statement by the President of the General Assembly

1. **Mr. Bozkır** (Turkey), President of the General Assembly, said that, while the coronavirus disease (COVID-19) pandemic had reduced the possibilities of meeting in person, the benefits of face-to-face diplomacy must not be taken for granted, and the Bureau should be commended for arranging for the current session to include in-person meetings.

2. Since the signing of the Charter of the United Nations 75 years previously, ensuring respect for and the development of international law had been a crucial component of the efforts of the Organization. The Committee had made an essential and continuous contribution to the implementation of the General Assembly's mandate to encourage the progressive development of international law and its codification, in accordance with Article 13 (1) (a) of the Charter. Together with the International Law Commission, it had been instrumental in bringing about many groundbreaking advances in the field of international law. The Committee played a particularly important role in promoting the peaceful settlement of disputes, in line with Articles 2 (3) and 33 of the Charter. It had also been instrumental in the establishment of a number of international courts and tribunals. The United Nations system must find ways to carry out essential tasks that contributed to ensuring respect for international law, including the holding of the elections to several international courts and tribunals that were due to take place in 2020, despite the current challenges to in-person work.

3. The Committee's work was crucial to multilateralism, as international law underpinned the rules-based international order that supported international peace and security, human rights and development. The Committee had a significant role to play in promoting a recommitment to and a strengthening of multilateralism in the face of the current challenges. He welcomed the Committee's efforts to organize its work efficiently and to continue to operate on the basis of deliberation and consensus-building. Discussions on the important issues within the Committee's mandate should not be delayed. He looked forward to continuing to work with the Committee to strengthen multilateralism, which was a priority for the current session of the General Assembly.

Agenda item 114: Measures to eliminate international terrorism (continued) (A/75/176)

4. **Mr. Tiare** (Burkina Faso) said that terrorism in the Sahel had resulted in a security and humanitarian crisis in the region. According to the United Nations Office for the Coordination of Humanitarian Affairs, 24 million people in the Sahel would require humanitarian assistance and protection in 2020. There were more than 1 million internally displaced persons in Burkina Faso alone, and more than 135 of the country's health centres and 2,500 of its schools had been forced to close because of the security situation.

5. Terrorism posed a serious threat to international peace, security and stability and undermined the efforts of States to ensure the rule of law, the enjoyment of human rights and the economic and social development of their populations. Following the adoption of the national Counter-Terrorism Act in 2015, his Government had taken a number of measures to address the threat, such as the development of a security policy; the establishment of specialized judicial units to handle cases concerning economic and financial crimes; the criminalization and punishment of acts of terrorism; and the delivery of training for judicial officials. To address the root causes of terrorism, his Government was implementing programmes designed to reduce poverty and inequality through the promotion of economic development at the local level. However, there was still a need to strengthen the institutional and operational capacities of the courts, adopt deradicalization and reintegration policies, and ensure the sustainable presence of the State and the long-term delivery of basic social services in the affected areas of the country.

6. Terrorism posed a collective security risk that no country could combat on its own. His country's engagement in bilateral cooperation on customs, policing, military and judicial matters had been fruitful. In May 2020, a joint cross-border operation by Burkina Faso and Côte d'Ivoire had resulted in the arrest of 24 suspects in Burkina Faso and 16 in Côte d'Ivoire. His Government welcomed the actions taken by the United Nations system to support national counter-terrorism efforts and would continue to participate in international efforts to combat terrorism.

7. **Ms. Benítez Lima** (Uruguay) said that her Government condemned terrorism in all its forms and manifestations and was committed to combating it, including by supporting the implementation of the United Nations Global Counter-Terrorism Strategy. In recent years, her Government had made significant efforts to counter terrorism and organized crime, which together eroded peace, diminished the social well-being

of the population and posed a threat to the country's territorial integrity, development and resources. A variety of national stakeholders were involved in the implementation of her country's multidimensional and multisectoral approach to counter-terrorism. Laws had been adopted to combat money-laundering, the financing of terrorism and the proliferation of weapons of mass destruction. A national counter-terrorism strategy that was focused on prevention, protection, evaluation and response had been adopted in 2017. As part of that strategy, a national counter-terrorism centre had been established to enhance the country's response to the threat while ensuring that all measures were implemented with respect for the rule of law and human rights.

8. Her Government recognized that bilateral, regional and international cooperation were crucial to combating the threat of international terrorism and was committed to cooperating fully with the international community in its efforts to counter terrorism while complying with the Charter of the United Nations and international law, including human rights law and international humanitarian law.

9. **Mr. Ligoya** (Malawi) said that there was no justification for terrorism committed by States or individuals, against whomsoever it was committed and whatever its purpose might be. Malawi condemned all forms of terrorism in the strongest possible terms. The COVID-19 pandemic had derailed the efforts of States to eliminate international terrorism. However, their resolve to eliminate the scourge of terrorism could be strengthened by fostering international cooperation.

10. Malawi had ratified almost all the relevant international, regional and subregional counter-terrorism instruments and had transposed their provisions into its domestic law. His delegation welcomed the adoption of General Assembly resolution [74/194](#), in which the General Assembly had decided to recommend that the Committee, at the seventy-fifth session of the General Assembly, establish a working group with a view to finalizing the process on the draft comprehensive convention on international terrorism as well as discussions on the question of convening a high-level conference under the auspices of the United Nations. It was unfortunate that the COVID-19 pandemic had prevented meaningful engagement on those matters during the intersessional period.

11. **Archbishop Caccia** (Observer for the Holy See) said that terrorism violated human dignity and posed a threat to international security and sustainable development. It could not be justified or excused on any ideological, political, philosophical, racial, ethnic or religious grounds. At the same time, the objective of

countering terrorism could not justify a renunciation of the principles of the rule of law and would be unacceptable if it were pursued without consideration for fundamental human rights.

12. All measures to combat and eliminate international terrorism must be implemented with respect for due process, international human rights law and international humanitarian law. In particular, counter-terrorism measures must not hinder the delivery of legitimate humanitarian aid. While there was a legitimate concern that humanitarian aid should not fall into the hands of terrorists, civilian populations affected by terrorism should not face the added burden of being deprived of desperately needed assistance.

13. Multilateral cooperation was essential in combating terrorism. The four pillars of the Global Counter-Terrorism Strategy remained relevant in that regard. His delegation commended the organizers of the Virtual Counter-Terrorism Week held in July 2020 for maintaining a focus on the topic, in spite of the COVID-19 pandemic. His delegation also welcomed the increased attention that was being given to the issues of cyberterrorism and the misuse of digital technology by terrorists.

14. Violence and extremism were often driven by economic, political and sociocultural factors. More should be done to address the root causes of terrorism, including by promoting education, preventing marginalization, addressing situations of severe economic disparity, and fostering dialogue, respect for diversity and inclusion. Communities, local governments and grass-roots organizations should all be involved in counter-terrorism efforts, as they were well placed to prevent the radicalization of young people. To enhance tolerance and the inclusion of minorities, it was important to promote respect for the right to freedom of conscience, religion and belief. It was also crucial to establish a respectful distinction between the political and religious spheres, in order to preserve religious freedom and the irreplaceable role of religion in the formation of conscience and the establishment of a basic ethical consensus in society.

15. **Mr. Bamyia** (Observer for the State of Palestine), welcoming the commitment of the Organization to developing an "all-of-United-Nations" approach to countering terrorism, said that terrorism was a common threat that required a collective response. The State of Palestine condemned terrorism in all its forms, by whomsoever and for whatever purpose it was committed, including State terrorism in all its forms and manifestations. His Government would continue to engage actively in efforts to eradicate international

terrorism, including through the implementation of the relevant Security Council resolutions and the cooperation agreements that it had entered into with more than 80 States.

16. Muslims were disproportionately targeted by terrorists, and Muslim-majority countries were on the front lines of efforts to combat international terrorism. There was international agreement that terrorism could not and should not be associated with any religion, nationality, civilization or ethnic group. It was therefore unacceptable that, in some quarters, certain acts were labelled as terrorist acts when they were carried out by people of a certain ethnicity or faith but described as individual actions or attributed to mental illness when they were committed by people of a different ethnicity or faith. Moreover, the international community should avoid selective solidarity and address terrorism wherever it occurred, not only in parts of the world that received intensive media coverage or where there were significant resources to dedicate to counter-terrorism efforts.

17. His delegation condemned all attempts to justify actions that perpetuated colonial occupation and oppression on the basis that they were legitimate counter-terrorism measures. The brutalization of peoples under foreign occupation was the gravest form of terrorism, and the use of State power to oppress and commit violence against peoples under foreign occupation that were striving to exercise their inalienable right to self-determination should continue to be condemned. The establishment of lists of individual terrorists and terrorist organizations outside the framework of the United Nations was an illegitimate and often politically motivated practice. It was also a serious violation of international law that undermined efforts to combat terrorism. The protection of victims of terrorism and the promotion of their rights to justice, redress, solidarity and support should be priorities in counter-terrorism efforts. In that connection, the State of Palestine, which was a member of the Group of Friends of Victims of Terrorism, had turned to the International Criminal Court to seek justice for Palestinian victims.

18. His delegation reiterated the importance of finalizing the draft comprehensive convention on international terrorism. With regard to the upcoming review of the United Nations Global Counter-Terrorism Strategy, it was essential to correct the imbalance in the attention currently given to the four pillars of the Strategy by increasing efforts to address the root causes of terrorism, including giving consideration to the legitimate grievances and aspirations of populations. More resources should be devoted to ensuring that measures to eliminate international terrorism were

implemented in compliance with the rules of international law and the Charter of the United Nations. The law was not an obstacle in the fight against terrorism, and no counter-terrorism imperative could justify the violation of international humanitarian law, human rights law or refugee law.

19. **Mr. Harland** (Observer for the International Committee of the Red Cross) said that terrorism ran counter to the fundamental principle of humanity and many of the underlying principles and core objectives of international humanitarian law. The International Committee of the Red Cross (ICRC) condemned acts of terrorism and recognized that States had a legitimate right to take measures to ensure their security and eliminate terrorism. However, Governments must ensure that their counter-terrorism activities were carried out with full respect for the protections afforded to all individuals under applicable international law, in particular international humanitarian law and human rights law.

20. There was a risk that counter-terrorism measures could impede the delivery of impartial humanitarian assistance aimed at combating the COVID-19 pandemic in regions where non-State armed groups designated as terrorist organizations were active, and in other areas affected by armed conflict or other situations of violence. States and international organizations should take appropriate steps, such as the establishment of humanitarian exemptions, to ensure that measures did not contravene the letter or spirit of international humanitarian law by preventing impartial humanitarian organizations from carrying out exclusively humanitarian activities. The adoption of Security Council resolutions [2462 \(2019\)](#) and [2482 \(2019\)](#) had been a positive step towards ensuring that counter-terrorism measures did not have an adverse impact on such activities.

21. Counter-terrorism measures could also have an impact on areas such as training on international humanitarian law and on other activities such as ICRC visits to persons detained in connection with terrorism. The designation of individuals as “foreign terrorist fighters” or the nature of the acts they might have committed must in no way be invoked as a justification for the non-observance of the legal protections to which they were entitled. Independent and neutral monitoring mechanisms, such as ICRC, should be granted access to such persons so that they could assist detaining authorities in ensuring that detainees were treated humanely and in conformity with applicable international law standards.

22. In relation to the counter-terrorism measures taken against foreign fighters and their families, ICRC was particularly concerned about the situation of children affected by such measures who, even when accused of crimes, were first and foremost victims. ICRC encouraged States to find solutions that were in the best interests of such children, notably by ensuring that they were not separated from their parents and siblings and giving due consideration to their repatriation.

23. **Mr. Aung** (Myanmar), speaking in exercise of the right of reply and responding to comments made by the representative of Bangladesh at the previous meeting, said that it was regrettable that the Committee had had to waste its time listening to the fabricated information and misleading statements put forward by the delegation of Bangladesh in an effort to demonize Myanmar. The threat from the Arakan Rohingya Salvation Army (ARSA) and Arakan Army terrorist groups had been a major impediment to the restoration of peace, stability and harmony in Rakhine State and had hindered the repatriation to Myanmar of displaced persons living in refugee camps in Bangladesh.

24. Bangladesh vehemently denied that terrorists were present within its borders, but nothing could be further from the truth; there was compelling evidence that members and supporters of ARSA were living in Bangladeshi refugee camps and had been using threats, intimidation, violence and harassment to prevent displaced persons who wished to return to Myanmar from doing so. That situation had received extensive coverage by domestic and foreign media. Bangladesh had given Myanmar two lists of displaced persons to be repatriated. The first list had included 7,883 names and the second 22,432. His Government had found that 180 of the people on the lists were terrorists, and had so informed the Bangladeshi authorities.

25. Bangladesh had recently deployed more troops to the refugee camps to quell violence between ARSA and drug gangs. In an *Agence France Presse* article published on 7 October 2020, an activist was quoted as stating that ARSA had claimed responsibility for the killing of four relatives of a Rohingya gang leader, and a youth leader was quoted as affirming that ARSA wanted to impose total control over the camps and had been behind all the killings that had taken place in the previous week.

26. Myanmar had proposed the signing of a memorandum of understanding on counter-terrorism with Bangladesh in 2017. However, the Bangladeshi authorities had been unwilling to take strong action, so the two countries been able to do no more than establish a border liaison office. In October 2020, the border

guard forces of the two countries had held a joint meeting, during which the delegation of Myanmar had provided information about ARSA and the Arakan Army and had requested active cooperation from Bangladesh in combating terrorist groups along the border.

27. Rather than implementing the agreement it had entered into with Myanmar to deal with the threat of terrorism, Bangladesh was demonizing his country and seeking to have the international community put pressure on Myanmar. Meanwhile, Bangladesh was home to a number of terrorist organizations that were threatening the security and stability of the entire region. He called upon Bangladesh to refrain from blaming his country for the situation and to comply in good faith with its commitments and obligations under the relevant bilateral agreements. If ARSA became part of a regional terrorist network, it would be because of the actions and negligence of the Government of Bangladesh. He urged Bangladesh to take meaningful action to combat terrorism.

Agenda item 77: Criminal accountability of United Nations officials and experts on mission (A/75/217 and A/75/228)

28. **Mr. Nasimfar** (Islamic Republic of Iran), speaking on behalf of the Movement of Non-Aligned Countries, said that the Movement took particular note of the recommendation in the Secretary-General's report (A/75/228) that United Nations system entities should continue to utilize their internal networks to measure the adequacy of their existing policies and procedures and to identify potential disparities, as well as to promote enhanced cooperation on cross-cutting issues, such as financial recovery. The countries of the Non-Aligned Movement requested the Secretary-General to continue to improve reporting methods, providing a full picture of obstacles in the United Nations and practical problems in the implementation of the relevant resolutions, with the aim of developing appropriate policy and legal solutions.

29. The Movement attached great importance to the issue of the criminal accountability of United Nations officials and experts on mission. The countries of the Non-Aligned Movement contributed more than 80 per cent of the peacekeeping personnel in the field and were also the major beneficiaries of peacekeeping missions. Peacekeeping personnel must continue to perform their duties in a manner that preserved the image, credibility, impartiality and integrity of the Organization. The Movement emphasized the importance of maintaining a policy of zero tolerance in addressing all cases of sexual exploitation and abuse committed by peacekeeping personnel.

30. More than a decade after the Committee had begun its consideration of the criminal accountability of United Nations officials and experts on mission, progress had been made but much remained to be done. International cooperation should be enhanced, and the United Nations must continue to cooperate with States exercising jurisdiction in order to provide them, within the framework of the relevant rules of international law and agreements governing United Nations activities, with information and material for criminal proceedings initiated by States. The United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel, which had been adopted by virtue of General Assembly resolution 62/214, would help to mitigate the suffering of victims and provide them with social support, legal services and medical attention.

31. Full implementation by all Member States of General Assembly resolution 74/181 and previous General Assembly resolutions could help to close jurisdictional gaps, strengthen accountability mechanisms and contribute to guaranteeing due process with respect to investigations of sexual exploitation and abuse. Member States should exercise their jurisdiction in applicable cases to ensure that criminal acts did not go unpunished. It was crucial that the State of nationality acted in a timely manner to investigate and prosecute alleged crimes. All States must provide information to the United Nations regarding any referrals to them of allegations of sexual exploitation or abuse. An assessment of the need for any further measures by the General Assembly could subsequently be undertaken.

32. The Non-Aligned Movement reiterated its concern about alleged crimes on the part of United Nations officials and experts on mission, including allegations of fraud, corruption and other financial crimes. The Secretary-General should continue to ensure that his zero-tolerance policy for criminal activities, including sexual exploitation and abuse and corruption, was made known to all United Nations officials and experts on mission, especially those in managerial positions. States must take all appropriate measures to ensure that such crimes did not go unpunished and that the perpetrators were brought to justice.

33. It was still premature to discuss a draft convention on criminal accountability of United Nations officials and experts on mission. For the time being, the Committee must focus on substantive matters and leave matters of form for a subsequent stage.

34. **Mr. Tommo Monthe** (Cameroon), speaking on behalf of the Group of African States, said that the topic

of criminal accountability of United Nations officials and experts on mission was of paramount importance to African States, given the substantial physical presence of United Nations peacekeeping and political missions on the continent. The Group had adopted a no-compromise approach to criminal accountability, which was a fundamental pillar of the rule of law. African countries would continue to draw attention to any crimes committed by such officials and experts, which unjustly tarnished the image of the United Nations. It was crucial to preserve the integrity of the Organization and safeguard the trust placed in it. Member States should exercise jurisdiction in applicable cases in order to amplify the call for zero tolerance for impunity.

35. The Group fully supported the zero-tolerance policy of the United Nations concerning criminal conduct, especially sexual exploitation and abuse, committed by United Nations officials and experts while on mission. It supported a system-wide approach to combating sexual exploitation and abuse within the United Nations, including but not limited to peacekeeping forces. In order to maintain the momentum in that regard, the issue of sexual exploitation and abuse should be included in the General Assembly's agenda every year.

36. Jurisdictional gaps in ensuring accountability led to the repeated commission of crimes. Such gaps could be remedied by the measures set out in several General Assembly resolutions, if properly implemented. While some Member States expressed a preference for a predominant role to be played by the host State, the Group of African States, along with other States, believed that responsibility for ensuring criminal accountability of United Nations officials and experts on mission lay with the State of nationality. The United Nations was to be commended for its efforts to refer cases of possible crimes of a serious nature to the State of nationality.

37. The Group welcomed the steps taken by the United Nations to provide training on standards of conduct, including through predeployment and in-mission induction training and awareness-raising programmes, as well as the technical assistance offered by the United Nations to States requesting support in developing their domestic criminal law. United Nations expertise went a long way towards developing and strengthening national capacities to investigate and prosecute serious crimes, especially in the context of mutual legal assistance and extradition. The Group encouraged States to cooperate with each other in criminal investigations and extradition proceedings involving serious crimes committed by United Nations officials and experts on mission.

38. **Ms. Gauci** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro, North Macedonia and Serbia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, Georgia and the Republic of Moldova, said that, as recommended in the Secretary-General's report (A/75/228), the United Nations system and related organizations should help to ensure the coherence and coordination of policies and procedures relating to the reporting, investigation, referral and follow-up of credible allegations revealing that a crime might have been committed by their personnel. The European Union and its member States reiterated the importance of the policy of zero tolerance for crimes committed by United Nations officials and experts on mission, especially those involving sexual exploitation and abuse. The European Union itself had established a zero-tolerance policy on misconduct and criminal acts committed by its civilian and military personnel serving in common security and defence policy missions and operations; that policy was a key guiding principle of the upgraded generic standards of behaviour for such missions and operations, and of the code of conduct and discipline for civilian missions.

39. The primary responsibility for investigations and prosecutions concerning United Nations officials and experts on mission rested with the State of nationality of the official or expert in question. Nevertheless, all States should take appropriate measures to ensure that such crimes did not go unpunished. Jurisdictional questions should not prevent States from cooperating in investigations and prosecutions. The European Union welcomed the efforts of the United Nations to provide technical legislative assistance to States that requested it.

40. There should be continuous communication between Member States and the United Nations system, in order to build mutual trust and confidence for the investigation and prosecution of misconduct and crimes. At the same time, the exercise of jurisdiction should be without prejudice to the privileges and immunities of United Nations officials and experts on mission. In addition, international human rights law, including the right to due process and a fair trial, must be respected.

41. Preventive and remedial measures were just as important as enforcement measures. Predeployment training, vetting and awareness-raising by the United Nations and Member States had been shown to be effective in preventing crimes by United Nations personnel. Victims must be afforded proper protection, support and access to justice, in order to alleviate the consequences of crimes and ensure that the vulnerable were not left behind. The European Union and its member States remained ready to consider a proposal

for a comprehensive international legal framework that would clarify the circumstances under which States Members of the United Nations could exercise jurisdiction and the categories of individuals and crimes subject to such jurisdiction.

42. **Ms. Bierling** (Norway), speaking on behalf of the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden), said that the topic of criminal accountability of United Nations officials and experts on mission, particularly in relation to sexual exploitation and abuse, was critically important. Any impression that United Nations officials and experts acted with impunity would be detrimental to the credibility and integrity of the United Nations and its missions. Both the United Nations and its Member States must enforce a zero-tolerance policy on such crimes. The Nordic countries supported the Secretary-General's recommendation that Member States continue to encourage the distinct legislative bodies of the United Nations system and related organizations to help to ensure the coherence and coordination of relevant policies and procedures. 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 increased. The Nordic countries therefore strongly encouraged States that had not provided the required information regarding those cases to do so.

43. Member States bore the primary responsibility for addressing the accountability of their nationals serving as United Nations officials and experts on mission. It was therefore imperative that they establish jurisdiction over crimes committed by such persons. They must also ensure that investigations and prosecutions were conducted in accordance with the principles of due process and the rule of law, and that victims, witnesses and whistle-blowers were protected.

44. The Nordic countries encouraged all Member States that had not yet done so to submit information to the Secretariat on the status of their relevant domestic laws, in accordance with General Assembly resolution 72/112. In addition to such reporting, further measures must be considered in order to ensure transparency and provide incentives for Member States to undertake the necessary legislative amendments. In that connection, she recalled that the Nordic countries had proposed the elaboration of a general policy on minimum requirements for States that contributed officials and experts to United Nations missions. Such a policy could draw on the voluntary compact on preventing and addressing sexual exploitation and abuse. An essential requirement should be that all contributing countries had the jurisdiction in place to be able to investigate and prosecute crimes

committed by their nationals while serving as United Nations officials or experts abroad. The Nordic countries looked forward to a constructive debate on a comprehensive international legal framework to ensure that such criminal conduct was addressed.

45. It was crucial to ensure accountability for persons who committed crimes while in the service of the United Nations. Anything less than full transparency regarding Member States' willingness and ability to hold their own nationals accountable for such crimes was unacceptable.

46. **Mr. Roughton** (New Zealand), speaking also on behalf of Australia and Canada, said that United Nations officials and experts on missions carried out important work in establishing the conditions for lasting peace. However, the deplorable acts of a few United Nations officials and experts, and the failure to hold them accountable, intensified the suffering of the people they were mandated to help and protect, and undermined the Organization's reputation, credibility and integrity. It was therefore important to develop a culture in which individuals were encouraged to report misconduct and alleged crimes, and to establish appropriate safeguards against retaliation.

47. The three countries recognized the leadership shown by the Secretary-General and fully supported the zero-tolerance policy on criminal activities, in particular sexual exploitation and abuse. They also commended the United Nations for its increased commitment to transparency and acknowledged the steps being taken to enhance accountability and recognize the rights of victims. They were concerned, however, that United Nations officials and experts continued to be involved in sexual exploitation and abuse, corruption, and fraud and other financial crimes. The United Nations should ensure that all allegations were investigated in an impartial, thorough and timely manner, and that substantiated cases were handled appropriately, whether through disciplinary measures or referral to home States.

48. The three countries commended the Secretary-General's recommendation that Member States encourage the legislative bodies of the United Nations to ensure the coherence and coordination of policies and procedures relating to the reporting, investigation, referral and follow-up of credible allegations. They would also support further efforts by the entities of the United Nations system to measure the adequacy of their existing policies and procedures and to identify potential disparities. All Member States should put in place screening and vetting procedures and predeployment training to instil a culture of zero tolerance for sexual exploitation and abuse, corruption, fraud and other financial crimes.

49. The primary responsibility for investigating credible allegations of criminal misconduct by United Nations officials and experts and prosecuting the perpetrators rested with the State of nationality of the alleged perpetrators. The three countries urged Member States that had not yet done so to consider establishing jurisdiction over serious crimes committed by their nationals while serving as United Nations officials or experts on mission and to provide up-to-date information on their national provisions regarding the establishment of such jurisdiction. All Member States should investigate allegations of criminal conduct by their nationals, cooperate with other Member States on such matters and hold perpetrators to account under domestic law. They should also share information on any obstacles to effective prosecution, whether jurisdictional, evidentiary or otherwise, and exchange best practices for addressing those challenges. The international community must hold to account those individuals who engaged in deplorable criminal conduct while on mission. The three countries therefore supported, in principle, the proposal for a convention that would require Member States to exercise criminal jurisdiction over their nationals serving in United Nations operations abroad.

50. **Mr. Umasankar** (India) said that the Organization's policy of zero tolerance towards misconduct and the commission of crimes by United Nations officials and experts on mission was essential for the preservation of the credibility of the United Nations system. While the United Nations could take disciplinary measures, it could not initiate criminal proceedings, and the immunities and privileges necessary for the Organization's operations in Member States sometimes prevented the exercise of criminal jurisdiction by host States. However, the immunity from prosecution in national courts enjoyed by the United Nations as an organization should not be taken to imply that United Nations officials and experts were exempt from responsibility for their criminal acts or omissions. The United Nations had an institutional responsibility for acts committed by staff serving in its missions and must therefore work with Member States to ensure accountability. The primary responsibility to bring perpetrators to justice rested with Member States. The State of nationality of an alleged offender must be promptly informed and consulted by the United Nations. Multiple investigations into the same allegations could be avoided if Member States and the United Nations exchanged information, cooperated in the conduct of investigations and accepted one another's findings as evidence for the purposes of United Nations disciplinary processes and national criminal proceedings.

51. India had contributed to the trust fund in support of victims of sexual exploitation and abuse and encouraged other Member States to follow suit. His country was also a signatory to the voluntary compact on preventing and addressing sexual exploitation and abuse, and its Prime Minister was a member of the circle of leadership on the prevention of and response to sexual exploitation and abuse in United Nations operations.

52. Member States that did not assert extraterritorial jurisdiction over crimes committed abroad by their nationals should be encouraged and assisted in updating their national laws to provide for such jurisdiction and to prosecute any misconduct of their nationals serving as United Nations officials or experts on mission. Such laws should also provide for international assistance for the investigation and prosecution of the crimes committed. The United Nations could compile a list of Member States that had implemented the nationality principle, thereby revealing potential jurisdictional gaps. In that regard, the exercise of extraterritorial jurisdiction over crimes committed abroad by Indian nationals was permitted under the Indian Penal Code and Code of Criminal Procedure. Indian law also allowed for extradition under a bilateral treaty or an international convention.

53. In order to more effectively address the issue of accountability of United Nations officials and experts on mission, the Organization should promptly establish uniform rules, procedures and codes of conduct for the various entities of the United Nations system and ensure that all entities had the same investigation capacity. A policy of zero tolerance for any criminal acts committed by United Nations personnel must be implemented and provisions to enforce accountability strengthened so that no crimes went unpunished and the image and work of the United Nations were not tarnished.

54. **Ms. Langerholc** (Slovenia) said that her delegation welcomed the information that a number of specialized agencies and related organizations that operated as independent international organizations had provided for inclusion in the report of the Secretary-General (A/75/228) and hoped that even more such organizations would share their experiences and recommendations in the future.

55. Any wrongdoing by United Nations officials or experts on mission cast a shadow over the enormous contribution that most of them made to international peace and security, the protection of populations, the defence of human rights, and global development. The United Nations should therefore enforce a zero-tolerance policy towards crimes of all kinds committed by such officials and experts. As a preventive measure, it should also ensure

that officials and experts received appropriate training. However, the primary responsibility for investigations and prosecutions rested with the State of nationality of the accused. It was therefore of great importance to improve communication and cooperation between host States, United Nations missions and troop-contributing countries. Such cooperation would also promote the implementation of coherent and coordinated policies and procedures within the United Nations system.

56. **Ms. Asgedom** (Ethiopia) said that, as both a major troop-contributing country and the host of the headquarters of the Economic Commission for Africa and offices of a number of United Nations agencies, Ethiopia valued the heroic work of United Nations officials and experts on mission. However, it was also concerned about the continued reports of criminal acts committed by such officials and experts. Any failure to hold the perpetrators accountable for their actions would deter future victims from reporting crimes. Cooperation between Member States and the United Nations in investigations into alleged criminal conduct should be enhanced, including through the establishment of a mechanism enabling the Secretariat to refer credible allegations to the State of nationality of the alleged perpetrator.

57. Member States had a duty to prevent and investigate crimes committed by United Nations officials and experts on mission. They must also ensure that they had jurisdiction to prosecute their nationals who committed such crimes. With regard to prevention, it was essential for troop- and police-contributing countries and the Organization to ensure that personnel were effectively screened and equipped with the necessary skills and training to serve in peace operations. Her Government trained its military and police personnel on conduct, discipline and the protection of civilians, in particular women and children. Her Government was unwaveringly committed to implementing a policy of zero tolerance for misconduct and crimes; it called upon all other States to do likewise and to ensure that their nationals were not able to use diplomatic immunity to escape justice for the crimes they committed.

58. **Mr. Poudyal** (Nepal) said that, as the fourth largest contributor of troops to United Nations missions, his country recognized the unique contribution and invaluable sacrifice made by peacekeeping personnel. All United Nations officials and experts serving on the front line to maintain peace and security around the world must adhere to the highest standards of conduct, as incidents of sexual exploitation and abuse, fraud and corruption had a negative impact on the credibility and integrity of the Organization.

59. Nepal did not tolerate sexual exploitation or abuse by its peacekeepers and reaffirmed its support for the efforts of the United Nations to implement a zero-tolerance policy towards all forms of sexual exploitation. His Government would do everything in its power to protect the rights of the victims and ensure that no Nepalese official involved in criminal activities while serving in a United Nations mission went unpunished. Allegations should be treated as individual incidents; entire missions or countries should not be shamed for the criminal acts of individuals. When such acts were reported, they should be brought to the attention of the States concerned. Information exchange was important for facilitating investigations and prosecutions. In addition, the United Nations Secretariat, peacekeeping missions and the Governments of host countries must ensure that immediate action was taken when crimes were committed. His Government called for the United Nations and its Member States to implement General Assembly resolution [74/181](#) and all preceding resolutions on the matter.

60. Predeployment and in-mission training on topics such as conduct, discipline and respect for the national laws of the host country were of the utmost importance. His Government had been making an effort to increase the number of female peacekeepers in its contingents, which should help to prevent sexual exploitation and abuse. It was also implementing Security Council resolutions [1325 \(2000\)](#) and [1820 \(2008\)](#) on women and peace and security. His Government stood ready to work with the United Nations and Member States to bring United Nations officials on mission who were involved in sexual exploitation and abuse, corruption, fraud and other crimes to justice.

61. **Ms. Grosso** (United States of America) said that while the vast majority of United Nations officials and experts on mission upheld the high standards of integrity expected of them, incidents of criminal behaviour affected public confidence in the Organization. United Nations officials and experts on mission should be held accountable for the crimes they committed. Her delegation welcomed the measures taken by the International Atomic Energy Agency to enhance the efficiency of investigations into reported misconduct and better protect whistle-blowers. It also welcomed the Agency's adoption of a zero-tolerance policy on fraud and hoped that all United Nations entities would similarly adopt more forceful policies to combat fraud and corruption. The revision of the investigation guidelines of the United Nations Development Programme and the enhancement of the internal justice system of the International Organization for Migration also represented positive steps that should be emulated

by other bodies of the United Nations system and related organizations.

62. The United States welcomed the Organization's cooperation with the United States authorities on various criminal investigations, including some that did not involve allegations against a United Nations official but regarding which the Organization might have relevant information. The Office of Legal Affairs continued to carry out the request of the General Assembly for more follow-up with Member States that did not respond to referrals of criminal allegations. Her delegation appreciated the Office's readiness to assist, when requested, with all referrals. All Member States should investigate incidents referred by the United Nations and complaints submitted directly to national authorities, initiate prosecutions, as appropriate, and communicate with the Organization about any barriers they faced in that regard. The United States had recently charged a former United Nations official with two counts of making false statements to United States law enforcement officials in an effort to conceal crimes he had committed while on mission.

63. **Mr. Rittener** (Switzerland) said that the publication of the reports of the Secretary-General promoted transparency with regard to the efforts of the United Nations and its Member States to ensure that United Nations officials and experts on mission were held accountable for their actions. The fact that 175 of the 219 allegations referred to Member States by the Secretary-General since 2007 had not been addressed painted a dire picture of the commitment of Member States to ensure accountability for crimes committed by such officials and experts. Member States must do more to examine and respond to referrals and follow-up from the Secretary-General. The Secretariat should also continue to follow up with the States concerned.

64. Switzerland welcomed the fact that during the reporting period 17 Member States had submitted information concerning the national measures they had in place to exercise jurisdiction over their nationals serving as United Nations officials and experts on mission, including 4 that had done so for the first time. His delegation strongly encouraged all Member States to submit such information. His delegation also welcomed the comments of additional States on the 2006 report of the Group of Legal Experts. Switzerland continued to support the establishment of an international legal framework to ensure accountability, the potential added value of which had been confirmed by an independent comparative study of a number of legal systems commissioned by Switzerland. His delegation strongly encouraged Member States that had not yet done so to respond to the recurring request by

the General Assembly for comments on the report of the Group of Legal Experts.

65. His delegation invited all Member States to consider taking action on the Secretary-General's recommendation that they encourage the distinct legislative bodies of the United Nations specialized agencies and related organizations to help to ensure the coherence of policies and procedures relating to criminal allegations against their personnel with those related to United Nations officials and experts on mission. While ensuring that United Nations officials and experts on mission were held accountable for their actions required a joint effort by the United Nations and Member States, the latter bore primary responsibility and must do more in that regard.

66. **Ms. Abu-ali** (Saudi Arabia) said that the United Nations should continue to enforce a zero-tolerance policy in respect of misconduct and offences committed by United Nations officials. Special measures should be taken to prevent sexual exploitation and abuse, and United Nations officials must comply with local laws. Domestic and international legal provisions should be strengthened and international cooperation intensified with a view to preventing impunity. The legislative bodies of the United Nations system and related organizations should help to ensure that the regulations in force allowed for the reporting and investigation of credible allegations of offences, including when committed by officials and organizations not under the purview of the General Assembly. Victims and witnesses should be provided with effective protection, and experts on mission should receive appropriate predeployment training concerning ethical conduct and the prevention of retaliation. States should enact laws that reflected international legal principles providing for the prosecution of United Nations officials and asserting the individual legal responsibility of peacekeepers. Detailed, credible, impartial and transparent mechanisms should be established to ensure the proper conduct of humanitarian work and prevent exploitation.

67. **Mr. Kabba** (Sierra Leone) said that the vast majority of United Nations officials and experts on mission performed their duties with integrity and in accordance with the high standards expected of United Nations personnel. However, failing to hold the few who committed crimes accountable for their actions would undermine global confidence in the United Nations. It was therefore essential that States with jurisdiction and the United Nations system responded to credible allegations of such crimes.

68. Sierra Leone, a troop- and police-contributing country, was gradually developing legislative and policy

frameworks to strengthen the criminal accountability of its nationals serving in United Nations missions. Acts of sexual and gender-based violence and sexual exploitation and abuse were prohibited under his country's military and general laws. The armed forces were implementing a zero-tolerance policy on sexual and gender-based violence. Peacekeeping personnel received training on their obligations to act in accordance with the highest standards of integrity in their professional and private lives; to be sensitive to local traditions, customs and culture; and to demonstrate respect for the local population, including women and children. As a result, military and police personnel from Sierra Leone serving in African Union peace support operations and United Nations peacekeeping operations demonstrated exemplary conduct and discipline.

69. The State of nationality of the alleged perpetrator should have precedence over the host country in addressing allegations. In that regard, he appreciated the Organization's efforts to refer credible allegations of criminal conduct to the State of nationality and encouraged all States to comply with the relevant United Nations resolutions. His delegation supported the United Nations zero-tolerance policy on sexual exploitation and abuse and called for the effective dissemination and robust implementation of the policy, in order to ensure that all cases of sexual exploitation and abuse committed by United Nations officials and experts on mission, in particular peacekeeping personnel, were addressed. Member States had a moral duty to ensure that the privileges and immunities of such officials and experts did not shield those persons from being held accountable for their actions. The Committee's working group on criminal accountability of United Nations officials and experts on mission should focus on the substantive matters raised in the report of the Group of Legal Experts.

70. **Mr. Abd Aziz** (Malaysia) said that Malaysia had taken legislative measures to give effect to its obligations under the Charter of the United Nations and other relevant instruments, such as the Convention on the Privileges and Immunities of the United Nations. In turn, it expected United Nations officials and experts on mission to act in accordance with Malaysian laws and regulations when operating in Malaysian territory. His Government fully supported the United Nations zero-tolerance policy on criminal conduct, in particular sexual exploitation and abuse, and noted with concern that, in the majority of cases, sending States had provided little or no information regarding investigations or prosecutions initiated in response to allegations referred to them since 2007. His delegation strongly encouraged States that had not yet provided the

required information to do so. Member States bore the primary responsibility for establishing jurisdiction over crimes committed by their nationals serving in United Nations missions abroad.

71. Malaysia had participated in more than 34 peacekeeping operations since 1960 and continuously adapted its training to ensure that the peacekeepers it trained – from both Malaysia and other States – were equipped to act in accordance with the most up-to-date standards of conduct. It therefore viewed with concern any act that discredited the noble efforts and sacrifices of United Nations personnel and experts serving in missions. His Government remained committed to working with other Member States to address the question of the criminal accountability of United Nations officials and experts on mission. To ensure that such offenders were held accountable for their crimes, States much engage in genuine cooperation and, as appropriate, exercise their jurisdiction.

72. **Mr. Elsadig Ali Sayed Ahmed** (Sudan) said that his delegation remained deeply concerned about the continuing allegations of sexual exploitation and abuse, physical assault and killings by members of peacekeeping missions. In the table containing additional information on the nature of the allegations and information received from States on all referrals since 1 July 2007 contained in annex I to the report of the Secretary-General (A/75/217), the recurring phrase “no information received from Member State” reflected alarming gaps in the reporting, submissions, responses and feedback between the host State, contributing countries and the United Nations, which could lead to impunity.

73. Criminal accountability of United Nations officials and experts on mission, including those working in peacekeeping operations, was of great importance. A zero-tolerance policy must be applied, and any crimes committed by such persons, including sexual exploitation or abuse or fraud, must be punished in accordance with the principles of justice and international law. Member States must not allow the special status enjoyed by United Nations officials and experts on mission to shield them from criminal accountability and punishment for their conduct, in particular when the host State was unable to prosecute them.

74. His Government had introduced a number of laws at the domestic level to ensure the necessary security and judicial investigations and to prosecute persons accused of such crimes. The Sudan had acceded to many multilateral instruments and bilateral agreements on judicial assistance.

75. There was a need for concrete procedures to bring perpetrators to justice. Not only must justice be done, it

must also be seen to be done. The immunities and privileges enjoyed by international personnel must not prevent host States with jurisdiction from bringing perpetrators to justice for crimes committed on their soil. It was imperative to introduce standard procedures for waiving the immunity of the perpetrators, especially when they had temporary contracts for particular programmes in the host State.

76. **Mr. Fintakpa Lamega** (Togo) said that his country was one of the 17 Member States that had submitted information to the Secretary-General in accordance with General Assembly resolution 74/181. His delegation encouraged the Secretariat to continue to ask Member States to guarantee that none of their nationals deployed as part of United Nations missions had a criminal history. Togo, the sixteenth largest contributor to such missions, provided appropriate predeployment training to all defence and security forces at the subregional training centre in Lomé. The materials provided by the Secretariat were a useful element of that training.

77. His Government remained committed to promoting respect for international humanitarian law wherever its troops and experts served. Under the 2016 Code of Military Justice of Togo, the national military courts had jurisdiction over crimes of any kind committed by Togolese military and paramilitary personnel in Togo or abroad. While the legal questions concerning the criminal accountability of United Nations officials and experts on mission were complex, his Government supported the view that the courts of the country of nationality of the alleged perpetrator should have jurisdiction. Under his country's Criminal Code, the national courts of Togo had jurisdiction over all crimes committed by Togolese nationals abroad.

78. **Mr. Elgharib** (Egypt) said that crimes committed by United Nations officials must not go unpunished. In addition to their impact on the victims, such crimes also tarnished the reputation of the United Nations and the thousands of its staff members who served its ideals selflessly.

79. Prosecution of United Nations experts and officials on mission should be the exclusive responsibility of their State of nationality, which should take legal action as soon as the matter was referred to it by the United Nations. Numerous legal and practical obstacles might arise; for instance, the criminal law of the State of nationality might not apply to offences committed abroad, or international mechanisms for the collection of evidence might be inadequate. In efforts to tackle those issues, due consideration should be given to the experiences of States. For instance, Egyptian

criminal law provided for the prosecution of Egyptian nationals serving as United Nations officials or experts on mission. Under the Criminal Code, any Egyptian who, while abroad, committed an offence recognized under the Code was liable to prosecution upon returning to Egypt, and the offence was punishable in accordance with the law of the country in which it had been committed. Egypt selected only the most qualified personnel to serve on United Nations missions. They underwent comprehensive training programmes and had shown high rates of compliance.

80. The persistent obstacles to impunity could not justify novel legal theories according to which the perpetrators could be prosecuted by States other than their State of nationality; any such initiative would not enjoy the necessary consensus. Instead, the international community should intensify its efforts to close existing gaps, including by building the capacities of States. The Committee's deliberations provided a valuable opportunity for States to exchange best practices in that regard.

81. Following an Egyptian initiative, the General Assembly now adopted a resolution on an annual basis concerning United Nations action on sexual exploitation and abuse. That resolution was a necessary step towards fostering mechanisms to tackle the problem.

82. **Mr. Proskuryakov** (Russian Federation) said that the measures developed to prevent the commission of crimes by United Nations officials – work in which the General Assembly had participated directly – were adequate to the scale of the task, and welcomed the preparatory training provided to such personnel in connection with peacekeeping operations.

83. Investigations of allegations against United Nations officials should be conducted in strict compliance with the rules of international law. Without prejudice to the legal status of United Nations officials and experts on mission, it was important to ensure that they were not absolved of accountability for criminal acts that they committed. Court proceedings initiated for that purpose should be efficient and fair.

84. The State of nationality of the official must play the leading role in exercising jurisdiction. In order to combat impunity effectively, it was important for the Secretariat to inform States promptly and fully when one of their nationals was suspected of committing a crime while on mission. Cooperation between the Organization and States must therefore continue to be strengthened.

85. Given that the majority of crimes committed were motivated by self-interest and involved fraud, it was important to consider the reasons for the situation and

ways of remedying it. The comments contained in the Secretary-General's report ([A/75/217](#)) demonstrated that the majority of States had the necessary mechanisms, including both national laws and international instruments on inter-State cooperation, to bring their nationals to justice. With regard to cooperation between the Secretariat and States concerning prosecutions, it was encouraging that information had been received about the progress made in the investigation of cases previously referred to States.

86. There was no need to develop a legally binding instrument on the matter, as it had become clear, following several years of discussion in the Committee, that there was no legal lacuna preventing the prosecution of United Nations officials and experts on mission. All that was needed was the willingness of States and the Secretariat to cooperate in the prevention and punishment of such crimes.

87. **Ms. Falconi** (Peru) said that, as a country that was firmly committed to international law, the purposes and principles of the Charter of the United Nations and the rule of law, Peru strongly condemned the direct or indirect participation of United Nations personnel in any inappropriate or unethical conduct, in particular sexual exploitation and abuse of civilians. Her delegation fully supported the Secretary-General's zero-tolerance policy on criminal conduct and all other initiatives that promoted strict punishments for those who engaged in such activities, without prejudice to the privileges and immunities enjoyed by United Nations officials and experts under international law. To help to ensure accountability, Member States and the United Nations should exchange information and cooperate in investigations. Member States should also provide mutual assistance in relation to investigations and prosecutions, to the extent permitted by their domestic laws and the rules of the Organization.

88. Her delegation welcomed the Secretary-General's recommendation that Member States encourage the legislative bodies of the United Nations system and related organizations to help to ensure the coherence and coordination of policies and procedures relating to the reporting, investigation and follow-up of credible allegations revealing that a crime might have been committed by personnel of such agencies and organizations. The entities of the United Nations system should continue their efforts to evaluate, coordinate and strengthen those policies and procedures in order to prevent crimes, mitigate their impact when they did occur, and ensure that victims received proper reparation. Her delegation recognized the valuable contribution made by United Nations officials and

experts on mission to the fulfilment of the purposes and principles of the Charter.

89. **Mr. Ly** (Senegal) said that his delegation paid tribute to the devotion and professionalism of United Nations officials and experts on mission who worked every day to maintain international peace and security. However, in order to preserve the reputation of the United Nations, uphold the rule of law and avoid causing victims even greater suffering, it was important to ensure that the privileges and immunities granted to United Nations personnel were not used as a pretext to commit reprehensible acts with impunity.

90. Senegal, a troop-contributing country, was making every effort to fully implement the zero-tolerance policy on criminal conduct, in particular sexual exploitation and abuse, by United Nations officials and experts. The President of Senegal, who was a member of the circle of leadership on the prevention of and response to sexual exploitation and abuse in United Nations operations, had issued a directive calling upon all defence and security forces operating as part of peacekeeping missions to comply strictly with relevant ethical standards and instructing commanders to ensure that all breaches of such standards were duly investigated and, where appropriate, punished. That high-level political commitment was supplemented by national legislation to facilitate the investigation and prosecution of Senegalese nationals who committed serious crimes abroad. The State of nationality should have precedence over the host country in addressing such breaches. In that regard, he appreciated the Organization's efforts to refer credible allegations of criminal conduct to the State of nationality and urged all States to take appropriate steps in response to such referrals.

91. His Government provided predeployment and in-mission training for troops and took disciplinary and judicial action against soldiers who did not comply with the standards of conduct expected of them. His delegation welcomed the measures taken by the United Nations to support training on United Nations standards of conduct. It also welcomed the Organization's provision of technical assistance to Member States seeking to ensure that their domestic legal frameworks promoted the criminal accountability of United Nations officials and experts on mission.

92. The progress that had been made thus far was fragile, and much remained to be done in order to strengthen criminal accountability. States that had not yet done so must take all appropriate steps to ensure that offences did not go unpunished and that the perpetrators were prosecuted. It was also necessary to promote a coordinated approach between the United Nations,

national authorities and the host country and to correct any shortcomings in accountability, especially where the host country's ability to exercise criminal jurisdiction was limited. A lack of accountability for such crimes was inconsistent with the values of the United Nations and a betrayal of the trust of victims.

93. **Ms. Lito** (United Kingdom) said that her delegation commended the efforts of the Secretary-General, the Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse and the Victims' Rights Advocate to implement a zero-tolerance and victim-centred response to crimes committed by United Nations officials and experts on mission, in particular sexual exploitation and abuse. However, there was no room for complacency, as such crimes continued to occur. All reasonable steps must be taken to prevent sexual exploitation and abuse, listen to those affected, address harm and allegations of harm in a sensitive and robust manner, and learn from every case.

94. Member States should exercise jurisdiction to ensure that all crimes committed by United Nations officials and experts on mission were investigated and the perpetrators prosecuted. Her Government was in the process of adopting a domestic abuse law that would extend the scope of the extraterritorial jurisdiction of the country's criminal courts to violent and sexual offences committed abroad, and she encouraged other Member States to take similar measures.

95. A system-wide approach was needed to address the system-wide problem of crimes committed by officials and experts on mission. Her delegation therefore welcomed the Secretary-General's recommendation that Member States encourage the bodies of the United Nations system and related organizations to help to ensure the coherence and coordination of policies and procedures relating to the reporting, investigation, referral and follow-up of credible allegations. All personnel serving under the flag of the United Nations must uphold the highest standards of conduct. Training on United Nations standards of conduct should continue to be a prerequisite for serving in field missions and at the Headquarters of the United Nations. All United Kingdom personnel serving within the United Nations received appropriate training.

96. **Mr. Molefe** (South Africa) said that his delegation recognized the efforts of the United Nations to protect populations from criminal activities and commended the courageous actions of United Nations officials and experts on mission, and other persons within the United Nations system, who reported criminal activity and misconduct at the risk of personal prejudice.

97. The courts of his country were able to prosecute citizens who committed crimes abroad and could not be prosecuted by the courts of the country in which the crimes were committed, provided that the acts in question were crimes under South African law. The national legal framework also allowed his Government to enter into agreements with other countries for the purposes of ensuring that persons engaging in cross-border crime did not go unpunished.

98. His delegation commended the Secretary-General for referring credible allegations of criminal conduct to the State of nationality of the alleged perpetrator. Member States and the United Nations should work together to ensure the criminal accountability of United Nations officials and experts on mission and the protection of vulnerable groups and populations.

The meeting rose at 5.50 p.m.