

UN GENERAL ASSEMBLY – SIXTH COMMITTEE

ITEM 73:

**CRIMINAL ACCOUNTABILITY
OF UNITED NATIONS OFFICIALS AND EXPERTS ON MISSION**

STATEMENT

BY

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CHECK AGAINST DELIVERY

Mr. Chairman

We would first like to thank the Secretary-General for his report (A/63/260). The information collected in this report shows both the progress made in this area, but also the challenges that lie ahead. We particularly welcome the measures taken by the Secretary-General to strengthen pre-deployment and in-mission training aimed at preventing misconduct. Criminal conduct by United Nations personnel in the field has grave consequences, foremost for the victims and their families, but also for the Organization itself. Therefore, if and when crimes are committed by United Nations officials and experts on mission, every effort must be made to hold these persons accountable. Failure to prosecute the offenders will exacerbate the damage already done to the Organization's reputation.

To this end, international cooperation must be enhanced, both among Member States as well as with the United Nations. National law enforcement authorities need a basis to cooperate with their counterparts in other Member States and within the United Nations. This would be an essential step towards sharing information, collecting and evaluating evidence, coordinating extradition, and thus preventing perpetrators from evading prosecution. Indeed, facilitating international cooperation is the one area in which the elaboration of an international convention would add significant value. The information received from Member States clearly indicates that there are barely any domestic laws in place that provide for legal assistance involving the United Nations. In addition, legal assistance between States is usually based on bilateral agreements which may not exist in specific cases. The Sixth Committee should therefore continue to focus its deliberations under this agenda item on the issue of cooperation.

While we have in the past supported the elaboration of a Convention on the basis of the draft submitted by the Panel of Experts, we would not exclude that such a Convention could only address the issue of cooperation, leaving the issue of

jurisdictional gaps aside. It appears from the Secretary-General's report that mainly common law countries might in some situations lack the necessary jurisdiction over crimes committed by their nationals working as UN officials and experts on mission. To address this problem, a future Convention focused on international cooperation could be supplemented by model-legislation addressing the issue of jurisdiction.

In order for us to engage in a meaningful discussion on these issues, we hope to count once more on the active participation by relevant Secretariat officials. We look forward to making further progress on this important issue in a constructive atmosphere.

I thank you.