



American Model United Nations
Sixth Committee

GA 6th/I/4

SUBJECT OF RESOLUTION: Criminal Accountability of United Nations Officials and Experts on Mission

SUBMITTED TO: The Sixth Committee

SUBMITTED BY: Czech Republic, Canada, Croatia, Finland, Ghana, Israel, Italy, Norway, Spain, Sweden

The Sixth Committee

1 *Concerned* about the prevalence of crimes committed by United Nation Officials
2 abroad and the lack of fair and uniform prosecution,

3
4 *Deeply concerned* that the United Nation Officials and Experts on Mission are
5 able to operate with impunity, creating a negative representation of the United Nations
6 and thus decreases the effectiveness of the organization,

7
8 *Bearing in mind* the four main areas of concern regarding Peace Keeping
9 Operations (PKO) violations, stated in the Zeid Report:
10 (a) Current rules of conduct established in all Peace Keeping Operations,
11 (b) The investigative process that occurs after the atrocities have already taken
12 place,
13 (c) The organizational, managerial, and command responsibility,
14 (d) The individual's disciplinary and criminal accountability to the Peace Keeping
15 Operation,

16
17 *Realizing* the crimes committed or attempted, during United Nation PKO's
18 include:
19 (a) Murder,
20 (b) Willfully causing serious injury to body or health,
21 (c) Rape and acts of sexual violence,
22 (d) Sexual offenses involving citizens whose age limit is under that of the host
23 nation,

24
25 *Noting* the criminal report from the Ad Hoc Committee (A/63/54) and their
26 conclusions in outlining the powers and limitations of the Office of Internal Oversight
27 Services (OIOS),

28
29 *Reaffirming* that the United Nation Officials and Experts on Mission should
30 respect both national laws of host states and international laws as well as the importance

31 of collaboration and consensus among both legal parties involved,

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33 *Believing* in the importance of troop-contributing countries playing the primary
34 role in the prosecution of their own nationals,

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36 *Having considered* the comments of the Secretary-General on strengthening the
37 capacity of peace keeping operations and holding peace keepers accountable for crimes
38 committed while they are representing the United Nations, specifically the Secretary-
39 General's bulletin on Status, basic rights, and duties of the United Nations staff members
40 (ST/SGB/2002/13) and the Secretary-General Bulletin on Special Measures for protection
41 from sexual exploitation and sexual abuse (ST/SGB/2003/13),

42

43 *Recognizing* the three-pronged approach of the Conduct and Discipline Unit
44 (CDU), Special Investigation Unit (SIU), the Misconduct Tracking System (MTS), as
45 well as the Office of Internal Oversight Services (OIOS) to prevent misconduct, enforce
46 UN standards, and provide for remedial action,

47

48 *Acknowledging* the categorization system outlined in A/RES/59/287 which creates
49 two categories of misconduct for United Nations officials,

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51 *Convinced of* the needs for the member-states to work to increase the power of the
52 United Nations to ensure criminal accountability of the United Nations officials and
53 experts abroad,

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55 1. *Requests* the assignment of the Ombudsman Bureau, which will be called on by
56 the Personal Conduct Unit regarding violations committed by Peace Keeping Personnel
57 to:

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(a) Serve independently from regional missions;

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(b) Guarantee the United Nations' direct involvement in the investigative process,
60 as this assures the following of correct procedure in such investigations;

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62 2. *Calls upon* nations contributing Peace Keeping personnel, as well as nations
63 soliciting Peace Keeping presence, to sign a peace-keeping code of conduct established
64 by the United Nations:

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(a) Such code will be signed by all personnel actively participating in Peace
66 Keeping Operations;

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(b) The code of conduct must be approved by the Security Council;

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(c) The punishments will be specified in the code of conduct;

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(d) All personnel, States, or Nations—including those currently engaged in PKO's,
70 refusing to sign the code of conduct, subject to review and dismissal from Peace Keeping
71 Operations;

72

(e) Past incidents shall not be considered for the use of what is currently stated.

Passed, Yes: 57 / No: 33 / Abstain: 12