



American Model United Nations

General Assembly Sixth Committee

GA Sixth/II/7

SUBJECT OF RESOLUTION: Criminal accountability of United Nations officials and experts on mission

SUBMITTED TO: The General Assembly Sixth Committee

The General Assembly Sixth Committee,

1 *Expressing with appreciation* the United Nations Charter and its mission,
2

3 *Recalling* resolutions 62/63, 63/119, 64/110, 65/20, 66/93, A/C.6/68/L.15 as well
4 *as The Report of the Group of Legal Experts* on ensuring the accountability of United
5 Nations staff and experts on mission, with respect to criminal acts committed in
6 peacekeeping operations (see 60/980), submitted pursuant to Assembly resolutions
7 59/300 and decision 60/563 (decision 61/503 A) and the report of the Ad Hoc Committee
8 62/54,
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10 *Further recalling* the Handbook on United Nations Multidimensional
11 Peacekeeping Operations,
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13 *Noting with approval* the Standards of Conduct for the International Civil Service
14 given by the International Civil Service Commission,
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16 *Recognizing* the positive work done by a majority of the United Nations
17 peacekeepers,
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19 *Emphasizing* the importance of establishing jurisdiction between the host state
20 and the home state to the peacekeepers,
21

22 *Stressing* the importance of communication between victims of human rights
23 violations and proper authorities, such as United Nations and respective government
24 officials,
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26 *Deeply regretting* the illegalities committed by United Nations officials and
27 experts that were identified from the Secretary-General's report given under the 69th
28 session,
29

30 *Alarmed* by the exploitation committed by United Nations officials, specifically
31 sexual assault, cultural appropriations and physical abuses,
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33 *Taking into consideration* the variety of legal policies and cultural norms within

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all Member States,

Emphasizing the importance of resolving these legal issues while respecting both the purview of the peacekeeping mission and the sovereignty of the host country,

Noting with concern the prevalence of such crimes as human trafficking, prostitution, female genital mutilation, cultural exploitation, physical and verbal attacks and lack of regard for the rights of the citizens of host countries,

Fully aware of the need to take action while respecting State sovereignty,

Deeply Convinced of the need to efficiently and effectively facilitate open communication between all involved parties to ensure that action is taken,

Taking into consideration the legal representation and education being done by the non-governmental organization (NGO) Lawyers Without Borders,

Reaffirming the efforts of the United Nations Development Programme Ethics Office to train field staff on the ethics in the various regions in which they will be working,

1. *Strongly urges* that the bilateral and multilateral agreements made by both home and host States accurately define each State's jurisdiction with regards to the process of prosecuting any United Nations officials from the home State deployed to the host State for any offenses they commit;

2. *Recommends* the establishment of an arbitrator between the home and host States involved in the mission in order to facilitate an agreement on jurisdiction with regards to crimes committed by United Nations officials:

(a) To occur through a body to be decided on by the United Nations General Assembly Plenary Committee;

(b) Present the agreement in writing to both States involved in the mission in order that they be:

(i) Read and explained by both States and their officials;

(ii) Signed by States and their officials and representatives of the two States to signify understanding of the provisions of the agreement;

3. *Endorses* the establishment of a Judicial Sovereignty Commission underneath the Sixth Committee of the General Assembly to:

(a) Be comprised of representatives from each Member State of this body;

(b) Have the purpose of discussing the question of sovereignty with regards to the jurisdiction of nations on trying United Nations officials;

4. *Urges* States to create mechanisms in order to report crimes committed by United Nations officials, including:

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- 79 (a) A database to help facilitate the reporting of crimes committed by United
80 Nations officials:
- 81 (i) Into which citizens of the regions can anonymously report
 - 82 crimes through means including, but not limited to specifically-designed
 - 83 websites, mobile phones, email, or mail;
 - 84 (ii) To be used by the United Nations Office of Internal Oversight
 - 85 Services as a starting point for investigations of crimes committed by
 - 86 United Nations officials;
 - 87 (iii) To be operated by an NGO such as, but not limited to, Transparency
 - 88 International;
 - 89 (b) Pre-mission meetings for the citizens that will benefit from United Nations
 - 90 missions to detail who should be contacted and the chain of command in the event of
 - 91 criminal wrongdoing by a peacekeeper;

92
93 5. *Recommends* the expansion of the United Nations Office of Internal Oversight
94 Services and its task force's capacity to better:

- 95 (a) Assess the findings of previous investigations;
- 96 (b) Work directly with States discovered to have high rates of peacekeeper crime;

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98 6. *Encourages* the expansion of the capacity of NGOs, including but not limited
99 to Lawyers Without Borders and Transparency International, in regions where United
100 Nations officials are stationed, to:

- 101 (a) Educate citizens regarding their legal rights and ways in which they can report
- 102 violations by peacekeepers on missions;
- 103 (b) Ensure that appropriate input to these NGOs is provided by governmental
- 104 officials as part of the aforementioned agreement between host and home nations;
- 105 (c) This information will be utilized at the discretion of the NGO;

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107 7. *Further encourages* measures to strengthen existing training on United Nations
108 standards of conduct by and the importance of capacity-building at Headquarters in the
109 Department of Peacekeeping Operations and the Department of Field Support in order to
110 increase the effectiveness of pre-deployment training through standardized training
111 modules including:

- 112 (a) Seminars and workshops;
- 113 (b) An executable objective in order to ensure the mission's success;
- 114 (c) Videos that highlight the importance of upholding United Nations standards of
- 115 conduct;
- 116 (d) Pamphlets and booklets;

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118 8. *Draws attention* to the role of the Department of Peacekeeping Operations in
119 offering training across a broad spectrum of mission-specific concerns with the help of
120 the Integrated Training Service in the United Nations Logistics Base, which include:

- 121 (a) General United Nations standards;
- 122 (b) Standards of Conduct for the International Civil Services;
- 123 (c) Handbook on United Nations Multidimensional Peacekeeping Operations;

- 124 (d) Customized training materials that reflect the needs of the mission by
125 incorporating information, including but not limited to:
126 (i) Cultural aspects of the host population;
127 (ii) Current crime rates;
128 (iii) Government, legal, social, and religious differences;
129 (iv) History of the host country;
130 (v) Local issues to sensitize peacekeeping personnel;
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- 132 9. *Notes* the capacity of the Conduct and Discipline Unit at Headquarters (CDU)
133 to organize series of training sessions with CDU officers and practitioners from other
134 United Nations departments and specialized agencies through:
135 (a) Scheduled and regular workshops for the chiefs of the Conduct and Discipline
136 Units;
137 (b) Leadership programs for potential and selected senior leaders;
138 (c) Training focused on specific initiatives including the creation of:
139 (i) A misconduct tracking system, which is a web-based system designed
140 to record, track, and report charges of misconduct by United Nations
141 officials on mission;
142 (ii) Internet, intranet, and extranet websites which provide relevant
143 documents and information on conduct and discipline;
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- 145 10. *Affirms* the need for capacity-building and mission-specific training during
146 peacekeeping missions in order to keep the United Nations standards of conduct fresh in
147 the minds of all United Nations personnel; this training should:
148 (a) Have the main goal of cultural competence;
149 (b) Reach out to the host populations by including in the training sessions;
150 (c) Raise awareness of the mission in the local population to build confidence in
151 the community through:
152 (i) The participation of heads of missions in briefings to specific
153 audiences and town hall meetings;
154 (ii) The dissemination of information to international organizations or
155 non-governmental organizations;
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- 157 11. *Recognizes* that ultimate recommendations of the aforementioned NGOs
158 devolve to the General Assembly Plenary Committee;
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- 160 12. *Reaffirms* that none of the above suggestions infringe on State sovereignty.

Passed, Yes: 61 / No: 11 / Abstain: 28