
Issue Brief
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Criminal accountability of United Nations officials and experts on missions

As members and officials that represent the United Nations, we expect UN personnel to uphold the highest standards and ideals on missions. However, what happens when the protectors of peace end up committing crimes themselves?

On July 2016, an unprecedented outbreak of fighting in South Sudan had brought upon a dangerous period of instability to the nation and had left more than 300 civilians dead. Yet the UN peacekeepers stationed there had abandoned their posts leaving behind weapons and ammunition that only helped to fuel the conflict. Moreover, they had failed to perform their duties and diffuse the conflict despite direct orders. In other cases, there have been several accusations of sexual exploitation and abuse of civilians against UN peacekeepers on their missions around the world including areas such as South Sudan, Haiti, Central African Republic, and Liberia.

Yet despite the numerous counts of criminal misconduct reported against UN officials and experts, the United Nations cannot prosecute these individuals under current UN rules. Current UN Secretary General Antonio Guterres has mentioned that crimes committed by the UN are to be reported and handled as internal problems. Therefore, UN civilian and police personnel can be referred to authorities in the country where the crime took place or they may be repatriated to their own country.

On December 2007, the General Assembly adopted the resolution on criminal accountability of United Nations officials and experts on missions (A/RES/62/63) to address the extension of national jurisdiction by Member States to cover criminal misconduct of UN personnel on missions and recent reports by the Secretary General at GA6 stressed criminal accountability, yet many nations disagree upon this matter.

In their general comments, many delegations acknowledged the critical contribution of United Nations personnel on mission yet underlined the negative consequences that direct criminal accountability concerning the acts committed by some officials and experts while on mission have to “the image, credibility, impartiality, and integrity of the organization.” Thus considering the varying opinions and predicted effects on the system as a whole, what will be the consequent action of the United Nations to address this issue?

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