

REPUBLIC OF RWANDA



Statement

By

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**Statement on the Scope and Application of the Principle of
Universal Jurisdiction**

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Mr. Chairman,

Let me start by congratulating you, as well as members of the bureau, for your election to spearhead the work of the 6th Committee.

I would also like to state, at the outset, that my delegation aligns itself with the statements delivered by South Africa (on behalf of the African Group), and by the Islamic Republic of Iran (on behalf of the Non-Aligned Movement). I will only add a few comments on my national capacity.

Mr. Chairman,

Rwanda recognizes that universal jurisdiction is a principle of International Law whose purpose is to ensure that individuals who commit heinous crimes such as genocide, war crimes and crimes against humanity do not enjoy impunity anywhere in the World and are brought to justice.

In this respect, Rwanda commends UN member States that extradited or prosecuted people who participated in the 1994 genocide against the Tutsi. However, we regret that a number of genocide fugitives are still enjoying safe haven in UN member States, including nine key genocide fugitives indicted by the International Criminal Court for Rwanda (ICTR).

We take this opportunity to remind the key provision of Security Council resolution 2150 which urges UN member States “to cooperate with the ICTR, the International Residual Mechanism for Criminal Tribunals and the Government of Rwanda in the arrest and prosecution of the remaining nine ICTR-indicted fugitives, and further calls upon States to investigate, arrest, prosecute or extradite, in accordance with applicable international obligations, all other

fugitives accused of genocide residing on their territories, including those who are FDLR leaders”.

Therefore, Rwanda supports the appropriate use of the principle of universal jurisdiction, in good faith. What we strongly reject is the abuse and misuse of indictments by non-African Judges against African leaders, which has a destabilizing effect that will negatively impact on the political, social and economic development of States and the ability of indicted leaders to conduct international relations.

Rwanda believes that such an abuse of the principle of universal jurisdiction is a pure violation of key principles of international law, notably the principle of equality of States and the immunity of Heads of States and other high ranking State Officials.

Indictments issued by European judges against officials of African states have the effect of subjecting the latter to the jurisdiction of European states, contrary to the sovereign equality and independence of states. For African states, this evokes memories of colonialism.

Furthermore, Indictments issued against foreign state officials exercising representative functions on behalf of their states by low-level judges, often sitting alone, tend to undermine the dignity of the state officials concerned and put at risk friendly relations between sovereign states.

Rwanda is of the view that the abuse of the Principle of Universal Jurisdiction is a development that could endanger International law, order and security. It could set a bad precedent if, all countries victims of abusive international warrants, resorted to the principle of reciprocity in order to defend themselves!

Rwanda strongly supports the request made by the African Heads of States and Government that the warrants of arrest issued on the basis of the abuse of universal jurisdiction be withdrawn.

Rwanda also supports ongoing discussions inside the General Assembly's 6th Committee aiming at adopting a new framework that would prevent the application of universal jurisdiction in arbitrary or politically motivated ways. Our wish is to see this process conducted effectively and objectively.

I thank you Mr. Chairman!