



Statement of H.E. Archbishop Bernardito Auza
Apostolic Nuncio and Permanent Observer of the Holy See to the United Nations
Sixth Committee of the 70th Session of the General Assembly

**Agenda item 86: The Scope and Application of the
Principle of Universal Jurisdiction**

New York. 20 October 2015

Mr. Chair,

My Delegation has been following the Committee's discussion of universal jurisdiction with great interest. The issue undoubtedly impacts what some have described as competing principles: the sovereignty of States and immunity of officials, on the one hand, and the deterrence of the most serious crimes and prevention of impunity, on the other. Used for political or ideological purposes, universal jurisdiction has the potential to harm international cooperation and the rule of law. But universal jurisdiction may be necessary to ensure that atrocities against human rights and humanitarian law do not go unanswered, when the punishment of criminals becomes impossible to enforce at country level.

My Delegation agrees that universal jurisdiction must not be misused to serve improper ends, but must be firmly based on substantive and procedural international norms. We recognize that there are difficult questions with regard to the propriety of universal jurisdiction, including the crimes to which it can be applied. My Delegation believes that expert study as to what customary international law is on the subject would be a productive step in advancing this Committee's work on this Agenda item.

Mr, Chair,

Prevention and prosecution of grave violations of international law are the legitimate duties of all States. The Holy See believes that properly understood and applied, with due regard to the principle of subsidiarity, universal jurisdiction can serve as an important tool in the international community's shared mission to protect the weak and to prevent impunity.

Thank you, Mr. Chair.