



**SOCIALIST REPUBLIC OF VIETNAM**  
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**Statement by Ms. Nguyen Thi Hong Quyen**  
**DELEGATION OF VIET NAM**  
**at the 70<sup>th</sup> Session of the Sixth Committee of UNGA**  
**on Agenda Item 86: “The scope and application of the principle of**  
**universal jurisdiction”**  
**(20 October 2015, New York)**

*Please check against delivery*

I thank you Mr. Chairman,

Viet Nam associates itself with the statement made by the Permanent Representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement. Here I would like to highlight several points in our national capacity.

We thank the Secretary General for his annual report “The scope and application of the principle of universal jurisdiction” contained in document A/70/125, which includes information of the practice, legislation and observations of several states and observers.

Viet Nam considers universal jurisdiction an important tool to combat international crimes and fight against impunity. In the process of reforming Viet Nam’s Penal Code, we are contemplating to provide for universal jurisdiction for certain crimes in accordance with the Code and international treaties to which Viet Nam is party. This movement shows our commitment to ensure that perpetrators of the most serious international crimes must not go unpunished and contribute to the promotion of the rule of law at national and international levels.

Viet Nam believes that universal jurisdiction must be carried out in accordance with the general principles of international law, including the principles of sovereign equality and non-interference and with full respect for the immunity of state officials under international law. While the preferred forum is the territorial state and the state of nationality, universal jurisdiction should only be evoked as an option of last resort and of complementary nature. It is important that the alleged perpetrator be present in the territory of the state concerned. We also believe that only core crimes such as genocide, crimes against humanity, war crimes and torture should be subject to universal jurisdiction.

Mr. Chairman,

We note the divergent views of states regarding the detailed scope and application of this principle and the unsettled issues regarding its definition, the list of crimes and conditions for application of universal jurisdiction. We also note the rejection of selective and arbitrary application of universal jurisdiction. Therefore, to ensure that this principle is applied in good faith and in an impartial manner in accordance with international law, Viet Nam is supportive of developing common standards on its scope and application. There is a strong link between universal jurisdiction and other topics discussed or to be discussed in the International Law Commission such as jurisdiction immunity of state officials and jus cogens, making the Commission well placed to consider the issue of universal jurisdiction. We suggest that the Sixth Committee entrust the International Law Commission with preparing a working document to be discussed at the Sixth Committee regarding the legal framework and the possibility of developing an instrument on universal jurisdiction.

In the meantime, we remain committed to working with other states in the Working Group so as to reach a viable outcome on the way forward.

Thank you, Mr. Chairman.