



PERMANENT MISSION  
OF ESTONIA TO THE UN

**Statement of the Republic of Estonia  
At the General Debate of the 72st Session of the UN General Assembly Sixth  
Committee**

Mr Chairman,

On behalf of the Estonian delegation, we would like to present some comments on the issue of the scope and application of the principle of universal jurisdiction to which Estonia attaches particular importance at this year's session of the Sixth Committee.

We take note with appreciation of the recent report by the Secretary General (document A772/112) and we would like to thank the countries that have provided information regarding the scope of their respective provisions of criminal law, which serve as examples of universal jurisdiction. It is evident that states adopt different solutions as to the scope of their jurisdiction with respect to acts committed abroad by foreigners. We also commend the achievements of the Working Group on the topic.

An open, transparent, and constructive discussion is at the core of making progress in deliberations to date. The considerable number of states participating in the discussion is a clear demonstration of the importance of the matter.

Estonia would like to stress that, although we recognize the difficulties that arise when the principles of sovereignty of states, immunity of state officials and subsidiarity are under question, universal jurisdiction is an essential tool in the pursuit of the international community to fight impunity. Universal jurisdiction should, however, be a last resort and be applied in respect to the most heinous international crimes.

Estonia is, furthermore, of the view that an attempt to develop an exhaustive list of crimes for which universal jurisdiction applies, is premature at this stage. It is more

apparent that conditions or guidelines for the application of the principle are called for. Exchanging national experiences is of utmost importance in this context.

Mr Chairman,

Lastly, Estonia would like to draw attention to the regulation in force in the Estonian Penal Code. Section 8 states that regardless of the law of the place of commission of an act, the penal law of Estonia shall apply to any acts committed outside the territory of Estonia if punishability of the act arises from an international obligation binding on Estonia.

We agree with previous suggestions by some states that it may be wise to refer the issue to the International Law Commission to prepare a study on the topic.

We welcome continued debates in the field and will continue to follow these closely. The use of universal jurisdiction can serve as an effective mechanism to ensure accountability and limit impunity. Prevention and prosecution of serious violations of international law are the moral duties of all States.

Thank you Mr Chairman!