

*Statement by Ms. Zakia Ighil
Minister Counselor
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*before the Sixth Committee under agenda item
87 on*

*“The Scope and Application of the Principle of
Universal Jurisdiction”*

New York, 3rd November, 2020

Mr. Chairman,

My delegation aligns itself with the statements delivered by the Islamic Republic of Iran on behalf of the Non-Aligned Movement and South Africa on behalf of the African Group.

We would like to thank the Secretary-General for his report on this topic, which provides useful and specific information on the basis of relevant domestic legal rules and judicial practices.

Mr. Chairman,

My delegation would like to reiterate its strong commitment to fight impunity, promote human rights, the rule of law, and good governance.

Whilst the international community has the shared responsibility to search for justice and combat heinous crimes, the political and selective use of the principle of universal jurisdiction does not serve justice, but on the contrary affects the credibility of international law and the fight against impunity and undermines the objective of achieving global justice.

In this regard, we continue to express concern about the abuse and misuse of the universal jurisdiction, particularly when applied without due regard to the requirements of international justice and equality.

In this regard, we need to stress that universal jurisdiction should be exercised on the basis of

good faith, with due respect to the principles of international law, in particular the sovereign equality of States, political independence, non-interference in the internal affairs of States and the immunity of Heads of State and Government.

It is also important to consider this principle of exceptional nature, as a complementary mechanism and a measure of last resort, which can neither replace, nor substitute the primacy of national courts and jurisdictions.

Mr. Chairman,

While taking note of the decision of the International Law Commission to include the topic of “universal criminal jurisdiction” in its long-term programme of work, my delegation continues to believe in the importance for the Sixth Committee to continue to discuss and carefully examine this important issue, namely in the framework of the working group established

for this purpose. The referral of this topic to the ILC would, in our view, be premature at this stage.

My delegation looks forward to continuing the thorough consideration of this important issue in the Sixth Committee to reach consensus. Our deliberations should focus on considering clear rules for the application of universal jurisdiction, its scope and definition, in order to ensure its reasonable exercise and compatibility with international law to prevent any abuse and misuse that doesn't serve its original purpose.

I thank you.