



**REPUBLIC OF MOZAMBIQUE**

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**STATEMENT**

**BY**

**THE DELEGATION OF MOZAMBIQUE TO THE  
SIXTH COMMITTEE**

**ON THE**

**AGENDA ITEM 84: THE SCOPE AND APPLICATION  
OF THE PRINCIPLE OF UNIVERSAL  
JURISDICTION**

**DURING THE 78th SESSION OF THE UNITED  
NATIONS GENERAL ASSEMBLY**

**NEW YORK, 16 OCTOBER 2023**

**Mr. Chair**

The delegation of Mozambique aligns itself with the statement made by the distinguished representative of Uganda and Iran on behalf of the African Group (AG) and Non-Aligned Movement (NAM), respectively.

We thank the Secretary General for his report contained in document A/78/130 based on information and observations from member States and guest Observers on the topic, including, where appropriate, information on the relevant applicable international treaties and related national legal rules and judicial practices.

I wish to make some additional remarks in my national capacity.

Mozambique reiterates its position expressed at the 77th Session of the Committee, which is in line with the position of the African Group.

Our delegation considers that it is important to continue the discussions on the scope and application of the principle of universal jurisdiction with a view to reaching consensus on "the relevant elements of a functional concept of universal jurisdiction".

The discussions should contribute to narrowing the differences that still prevail between the member States on various aspects of the issue.

Fifteen (15) years have elapsed since the matter has been incorporated in the agenda of our Committee, but clearly, no progress has been recorded so far.

Mozambique believes that consent and cooperation, if regulated within the multilateral system, can help to limit excessive abuse and misuse of the principle of universal jurisdiction.

Furthermore, our delegation believes that universal jurisdiction should be complementary to the national jurisdiction of the country in question, exercised in good faith, and should not be applied in a manner inconsistent with the principles of international law and enshrined in the UN Charter, including State sovereignty and non-interference in their internal affairs, territoriality, nationality and diplomatic immunity.

My country's criminal jurisdiction is sufficiently comprehensive to prevent impunity for nationals and/or foreigners for serious crimes committed in the Mozambican territory, or abroad when the offender is in Mozambique and has not been tried.

In addition, the legal framework on international legal and judicial cooperation of the Republic of Mozambique, in the context of mutual legal assistance, with other States and international organizations does not allow impunity for crimes subject to universal jurisdiction.

Mozambique reiterates its support to the position of the African Group and the ongoing multilateral dialogue, in accordance with international law, with a view to promoting respect for the principle of universal jurisdiction.

The selective use and manipulation of the principle of universal jurisdiction by some member States is not acceptable.

Another State could prosecute the offender only if the territorial State or the State with the greatest connection to the crime has shown reluctance or inability to exercise its jurisdiction.

While the practice of member States regarding the scope and application of the principle of universal jurisdiction is not uniform, there also seems to be enough common ground to find consensus on the application of the principle to serious crimes, within the framework of the international law established rules.

Dialogue must continue at the level of the Sixth Committee and Working Group in search for an acceptable definition of universal jurisdiction and a shared understanding of the scope of its application, thus avoiding abuse or misuse of this principle.

**I thank you!**