Chair,

Sixth Committee of the General Assembly

The scope and application of universal jurisdiction

Statement on behalf of CANZ

October 2016

I have the honour to speak today on behalf of Australia, Canada and New Zealand. CANZ welcomes this opportunity to once again engage in a dialogue on the scope and application of universal jurisdiction.

CANZ recognises universal jurisdiction as an established principle of international law. Universal jurisdiction confers on every State the ability to exercise criminal jurisdiction over those individuals responsible for the most serious crimes of international concern irrespective of where the conduct occurs, irrespective of the nationality of the perpetrator and irrespective of any other links between the crime and the prosecuting State. Such crimes attack the interests of all States, and as such it is in the interests of all States to ensure these crimes are prosecuted so as to deter such conduct in the future and to hold perpetrators to account.

CANZ maintains that primary responsibility perpetrator1

territorial State or the State of nationality is unable or unwilling to exercise jurisdiction, thereby ensuring that individuals who commit such crimes do not enjoy safe haven anywhere in the world.

Universal jurisdiction should always be exercised in good faith and in a manner that is consistent with other principles and rules of international law. It is essential that the rule of law is maintained and all parties are guaranteed an impartial, expedient and fair trial. States must also ensure that universal jurisdiction is only applied to the most serious crimes such as genocide, war crimes, crimes against humanity, slavery, torture and piracy.

CANZ applauds the work of those States