



REPUBLIC OF ZAMBIA

MEMORANDUM

TO :

FROM :

SUBJECT :

DATE :

BY :

CHAIRPERSON,

My delegation aligns itself with the statement delivered by the distinguished

representative of Republic of The Gambia on behalf of the African Group as well as that of the Non-Aligned Movement as delivered by the distinguished representative of the Islamic Republic of Iran.

CHAIRPERSON,

The principle of universal jurisdiction has been competently defined by several delegations. Although the definitions may vary and the scope of application still be

under consideration, it is generally agreed that where specific criteria are satisfied, serious crimes that are clearly prohibited by international law ought to attract

universal jurisdiction under customary international law. The current draft resolution

To this extent, Zambia has ratified and domesticated a number of Treaties, such as the SADC Treaty on Mutual Legal Assistance, the SADC Treaty of Extradition and the United Nations Convention Against Transnational Organised Crimes, among others.

Zambia is also making strides in ensuring that national laws incorporate the principle of

of universal jurisdiction. With regard to terrorism, Zambia has enacted the Anti-Terrorism Proliferation Bill of 2018, which repeals the Anti-Terrorism Act of 2007. Section 48 (1) of the Act grants the Attorney General discretion to request to have

Member States—mainly when it appears to be politically motivated, such as where particular countries or types of countries are the target of Universal Jurisdiction or where there is an apparent abuse of legal processes and the subjective interpretation of customary international law. The continuous selective prosecution

of individuals for alleged Universal Jurisdiction crimes may prove counter-productive and has the potential to undermine the overall fight against impunity.

Furthermore, the question whether sitting heads of state and government or high-level officials may be subject to prosecution in the International Criminal Court, in special tribunals or in the courts of other countries or territories remains unresolved, primarily where the country affected is not a State Party to the Rome Statute. The

African Union's decision in January 2018 to request for an advisory opinion from the