

**United Nations General Assembly | Sixth Committee**  
**The scope and application of the principle of universal jurisdiction**  
21-22 October 2021

*(check against delivery)*

Mr. Chairman,

Brazil thanks the Secretary-General for compiling the information referred to in document A/76/203 on the scope and application of universal jurisdiction. The report confirms that state practice on this matter is not uniform: it varies on both the range of crimes that trigger universal jurisdiction and the limits to its application. On the flip side, an analysis of the information provided so far suggests that there are common grounds from which we can work to gradually build consensus.

Brazil welcomed the establishment of a Working Group within the Sixth Committee to deal with this item, and we take this opportunity to reiterate our view favoring an incremental approach with respect to the discussions on universal jurisdiction. As a first step, we should endeavor to find a consensual definition of universal jurisdiction, as well as a shared understanding of the scope of its application, as a means to avoid selectivity.

Universal jurisdiction may be a tool for the prosecution of individuals allegedly responsible for

Brazil exercises its jurisdiction first and foremost based on the territorial principle. In some instances, Brazil also admits the extraterritorial exercise of its jurisdiction, based on the active nationality and passive nationality principles. The Brazilian Criminal Code only accepts the principle of universal jurisdiction in exceptional circumstances and under clear and objective conditions. Brazilian laws apply to the crime of genocide even if committed abroad, as long as the perpetrator is a Brazilian national or someone that resides in the Brazilian territory. In certain conditions, Brazil may also exercise its jurisdiction over crimes that it has obliged itself to repress through international treaties and agreements.