



Permanent Mission of
The Republic of Angola to the United Nations

STATEMENT BY

**H.E. AMBASSADOR ISMAEL A. GASPAR MARTINS
PERMANENT REPRESENTATIVE
OF THE REPUBLIC OF ANGOLA
TO THE UNITED NATIONS**

AT THE SIXTH COMMITTEE

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

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CHECK AGAINST DELIVERY

Mr. Chair,

Having the honour to address this meeting, I would like first to emphasize the great importance that we attach to the work of this committee and the important role it will play in considering the issue on the debate today, namely, *the scope and application of the principle of universal jurisdiction*.

Mr. Chair,

In this connection, and since this is first time my Delegation is taking the floor, we would like to take this opportunity to renew our commitment to the rule of law at the national and international levels, and reiterate Angola's support to *the Declaration of the High level Meeting of the General Assembly on the Rule of Law*.

The Republic of Angola strongly believes that a rule based on the international system with clear rules, which equally applies to all Member States, is an essential precondition for lasting peace, security, economic development and social progress.

Mr. Chair,

Application of universal jurisdiction should be regulated at the international level. Therefore, we are very much pleased by the quality and share concerns and the positions expressed in the SG Report presented earlier today. In this context, we welcome the decision to establish during this session, a working group to continue to undertake a serious discussion on this very important issue for the International Community.

My Delegation fully aligns itself with the statement made by Egypt on behalf of the African Group and would like to emphasize the fact that the African Union is unique in that it has a clear and unequivocal mandate to fight impunity.

Last May, African Ministers of Justice and Attorney General have examined the draft *Model of National Legislation on Universal Jurisdiction* which will allow African Countries to overcome the constraints in exercising the principle of universal jurisdiction.

Ministers also considered the progress report of the AU Commission on the implementation of Assembly Decision on the International Criminal Court, having in this context approved the doc. EX.CL/731.

We strongly support these decisions which are a clear reflection of the importance that AU attaches to these issues.

Mr. Chair,

Accordingly Item 3 of the Res. 66/103, Member States were invited to submit information and observations on the scope and application of universal jurisdiction. As it is usually said, better later than never, I take this opportunity to bring to this plenary our comments in order to contribute to this very important debate.

We are of the view that:

One: The scope of application of the principle of universal jurisdiction should be limited, first and foremost, by absolute respect for the sovereignty and national jurisdiction of States;

Two: The principle of universal jurisdiction should not be applied in order to decrease respect for the national jurisdiction;

Three: The principle referred in the UN Charter, must be strictly respected during the judicial proceedings;

Four: Universal jurisdiction must be supplementary to the actions taken at national level. In other words, universal jurisdiction should not be applied when the accused person is being investigated and prosecuted by nation's courts;

Five: In addition, universal jurisdiction should be applied only under circumstances in which there is no other way to prevent impunity, and it should be seen as existing alongside domestic law and the jurisprudence of national courts;

Finally,

Six: Application of this principle should not violate the immunity granted under international law to Heads of State, diplomatic personnel and other incumbent high ranking official.

Mr. Chair,

Universal jurisdiction must not be confused with international criminal jurisdiction, which is exercised by international criminal tribunals established through treaties, such as the ICC or by Security Council.

Out of the current parties to the Status, 33 are African States, thus constituting the largest regional block of members. The fact that majority of African countries support the establishment of the ICC is a very important step forward in reinforcing our commitment to the rule of law at the national and international levels.

To conclude, Mr. Chair, let me say that the exercise of universal jurisdiction cannot be arbitrary and it should not be used for the purposes of fulfilling other interests than those of justice.

It is our hope that next year we can resume our debate addressing more specific details of universal jurisdiction. My delegation is committed to contributing the best way it can to this discussion and looks forward to participating on this debate.

I thank you very much.