



## **THE PERMANENT MISSION OF THE REPUBLIC OF AZERBAIJAN TO THE UNITED NATION**

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**Statement by Mr. Tofiq F. Musayev**

**Deputy Permanent Representative of the Republic of Azerbaijan to the  
United Nations, at the Sixth Committee of the sixty-eighth session of the  
United Nations General Assembly under agenda item 86 "The Scope and  
Application of the Principle of Universal Jurisdiction"**

***14<sup>th</sup> meeting, 18 October 2013***

Azerbaijan continues to follow the discussions on the scope and application of the principle of universal jurisdiction with keen interest.

We believe that this principle contributes to strengthening the rule of law at the national and international levels. The basis for this is that the crimes involved are regarded as particularly offensive to the international community as a whole and are so serious and on such a scale that they can be viewed as an attack on universal values and the international legal order.

We are of the view that, in addition to a number of treaties which provide for jurisdiction with regard to various offenses, State practice in general does not appear to have moved beyond war crimes, crimes against peace and crimes against humanity in terms of permitting the application of universal jurisdiction.

There is no doubt that universal jurisdiction is an important principle in the fight against impunity. In recent years, international law has moved towards concretizing the need for justice. Important steps have been taken at the national and international levels on the prevention and punishment of wrongs, including the development of international jurisprudence.

While governments bear the primary responsibility for ensuring accountability for serious criminal offenses, universal jurisdiction should be regarded as a supplementary tool when relevant national authorities fail to take action and when the existing international judicial mechanisms cannot be invoked.

The application of the principle of universal jurisdiction is particularly important in situations of armed conflicts, including those of protracted nature and those involving prolonged foreign military occupation. Indeed, past wrongs left unpunished and unrecognized continue to impede the progress in achieving long-awaited peace and reconciliation in some parts of the world and can even play a key role in the eruption of new conflicts and the commission of new crimes. It is clear that any accountability efforts must be free of selectivity and politically motivated approaches and preferences.

In conclusion, we encourage the Sixth Committee to continue examination of the issue. We believe that the establishment of the Working Group was a positive development. At the same time, we also see the strong rationale behind the view expressed by several delegations on the need of a comprehensive legal study and the possible role of the International Law Commission in that regard.