



REVISED

THE REPUBLIC OF KOREA

PERMANENT MISSION TO THE UNITED NATIONS

335 East 45th Street, New York, N.Y. 10017
Tel (212) 439-4000, Fax (212) 986-1083

Statement by Mr. CHOI, Yonghoon

Counsellor

Permanent Mission of the Republic of Korea to the United Nations

Sixth Committee of the 68th Session of the UN General Assembly

Item 86: the scope and application of the principle of universal jurisdiction

17 October 2013

New York

<Check against Delivery>

Thank you, Mr. Chairman.

My delegation would like to express our appreciation to the Secretary-General for his report, A/68/113, on “the scope and application of the principles of universal jurisdiction.” We would also like to thank those Member States that have provided relevant information reflected in this report. This information provides good basis for further deepening our discussion. We welcome this opportunity to provide Korea’s views on this agenda item and to hear the views of other Member States.

Mr. Chairman,

This delegation believes that principle of universal jurisdiction is an essential mechanism in our fight against impunity. Through the active application of universal jurisdiction, we can send a clear message to the international community that impunity, especially for serious crimes, will not be tolerated.

After several years of discussions on this agenda item, it seems that we are agreed in principle that the most serious crimes of international concern, for example, war crimes and piracy, should be subject to the principle of universal jurisdiction.

However, my delegation notes that we have many issues yet to be verified. There seems no agreement on universal jurisdiction in practice at the national level. And it is hard to deny that the scope of crimes to be covered by this principle still requires further considered discussions. In other words, it is necessary that the international community should make efforts to agree on the definition of universal jurisdiction and the crimes subject to universal jurisdiction.

Mr. Chairman,

The application of the principle of the universal jurisdiction has more legal complexity because it is closely linked with many practical questions including who, when and how to exercise it. My delegation strongly believes that the principle of universal jurisdiction should not be misused. It should be applied in a responsible and judicious manner. Attempts to use universal jurisdiction just for purely political reasons must be discouraged and excluded completely. The principle of universal jurisdiction should be exercised in a manner that does not cause conflict with other peremptory norms of international law.

To move the discussion forward on this agenda item, considering it contains various convoluted issues, my delegation wishes to suggest that the International Law Commission, as an independent expert body, should be asked to make a contribution on this subject, in particular in relation to its work on the principle of *aut dedere aut judicare*.

Finally, Mr. Chairman,

My delegation would like to reiterate the Republic of Korea's continuous commitment to the international fight against impunity. Universal jurisdiction is a key element in combating impunity for serious crimes. For this reason, we support the continuation of the discussion on universal jurisdiction in the Sixth Committee and wish to work with other Member States to agree on a clear scope and application of the principle of universal jurisdiction.

I thank you, Mr. Chairman.