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STATEMENT
by Representative of the Russian Federation
in the Sixth Committee of the 68th Session of the General Assembly
on Agenda Item: “The scope and application of the principle of universal jurisdiction”

October 17, 2013

Mr. Chair,

Russia is firmly attached to fighting impunity for the gravest crimes under the international law. Thus we recognize the potentially high importance of the concept of universal jurisdiction in bringing to justice the persons who commit such crimes.

Nevertheless, we must admit that the legal parameters of this concept remain quite vague. Clearly it is premature to say that the States have come closer on that issue. This is confirmed also by the compilations on the topic under consideration prepared by the Secretariat.

We assume that it is necessary to treat this concept with extreme caution, before an international consensus is reached on at least the conditions of

application and the scope of universal jurisdiction. We strongly believe that arbitrary treatment or even more so the abuse of that issue is fraught with complications in the relations between States. There are enough recent examples of this. Therefore, the exercise of universal jurisdiction should be at least consistent with the norms of customary international law, especially relating to immunity of state officials.

It would be better today to use other, less arguable, instruments to prosecute perpetrators of the most serious crimes under the international law. It should be also borne in mind that the domain of international criminal justice, including the International Criminal Court, has no relation to the issue under consideration.

As to the prospects of work of the Committee on this topic, we do not object to its further discussion. It should be noted however that the work of the Committee over the last year has not produced any cardinal inputs to expand or to make more productive the discussion on this topic. There is an impression that it will be hard to move forward on this topic based on the materials that the Committee currently has at its disposal. Clearly, it is hardly realistic to say that certain international standards or criteria of application of universal jurisdiction could be developed.

Thank you, Mr. Chair.