

ALGERIA



الجزائر

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بعثة الجزائر الدائمة
لدى الأمم المتحدة
نيويورك

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Statement by:

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Counselor

Before the 6th Committee

On agenda item 83

« The scope and application of the principle of universal jurisdiction »

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Mr. Chairman,

My delegation aligns itself with the statements made respectively by the distinguish representatives of the Islamic Republic of Iran on behalf of the Non-Aligned Movement, and South Africa on behalf of the African Group.

I would like also to thank the Secretary General for his comprehensive report (A/69/174), which focuses on specific information regarding the scope and application of universal jurisdiction on the basis of relevant domestic legal rules, applicable international treaties and judicial practices.

My delegation would like, also, to reiterate once again its unflinching and strong commitment to fight impunity, promote human rights, democracy, the rule of law and good governance.

Mr. Chairman,

Universal jurisdiction is a principal of international law that aims to fight impunity and ensure the prosecution of individuals or groups suspected having committed serious crimes, such as genocide, war crimes and crimes against humanity.

In this regard, we need to stress that the universal jurisdiction should be applied properly on the basis of the principle of good faith, alongside with the other principles and rules of international law, far from any abuse, political manipulation and selectivity.

The application of this principle has to respect all other principles deriving from the national laws, international law and international customary law, particularly, the principle of State sovereignty, the territorial jurisdiction, the primacy of actions by states regarding criminal prosecutions, the protective principle and most of all the immunity of heads of States and Governments during the exercise of their functions.

For my delegation, it is of utmost importance to consider the principle of universal jurisdiction as a complementary mechanism and a measure of last resort. The principal of universal jurisdictions cannot replace nor substitute the primacy of national courts and jurisdictions to try crimes committed on their territories.

Mr. Chairman,

Allow me also to express my country's strong concern about the selective and arbitrary applications of universal jurisdiction, particularly, when applied without due regard to the requirements of international justice and equality. The misuse of universal jurisdiction can only generate negative consequences on stability at the national and international levels.

In this regard, it seems important to recall that selectivity, political motivation and abuse in the application of the principle of universal jurisdiction against the only African States by some jurisdictions, especially the International Criminal Court, were the main reasons for holding, last year, an Extraordinary Summit of the African Union. (Addis-Ababa, on October 12, 2013).

As noted by our Heads of States and Government during that Summit, the activities of the International Criminal Court throughout its eleven years of existence, focused exclusively on Africa, while unacceptable situations in other parts of the world have been, *and still are*, ignored. The issue of international justice must include the need to respect the sovereignty and national independence of all States, including the African countries.

In conclusion, and in light of the recent outcomes of the African Union Summits, my delegation expresses its support for the continued work of the 6th Committee on the scope and application of the principle of Universal Jurisdiction based on the respect of the sovereign equality and political independence of States.

I thank you.
