



**STATEMENT**  
**BY**  
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**COUNSELLOR, PERMANENT MISSION OF ETHIOPIA TO**  
**THE UN**  
**AT THE SIXTH COMMITTEE OF THE 69<sup>TH</sup> SESSION OF UNGA**  
**ON**  
**AGENDA ITEM 83**  
**“THE SCOPE AND APPLICATION OF THE PRINCIPLE OF**  
**UNIVERSAL JURISDICTION ”**

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**Mr. Chairman**

Allow me to associate my delegation with the statements made on behalf of the African Group and the Non Aligned Movement.

The issues surrounding universal jurisdiction are becoming extremely critical for African countries including my country Ethiopia.

One thing should be emphasized from the outset, however, and that relates to the fact that we in Africa are second to none in our resolve to fight impunity. This has been settled in an unambiguous manner by the Constitutive Act of the African Union which has empowered to intervene in the internal affairs of member states in response to war crimes, crimes against humanity and genocide. Therefore, when we raise issues concerning universal jurisdiction, the intent should not be misunderstood.

It is manifest that there are offenses, the likes of those that the Africa Union has identified as compelling interference in the internal affairs of states, to which universal jurisdiction should be applicable. What is most critical, however, and here I am reiterating what many have said and had repeated in the past, is that there is an immense amount of skepticism with respect to how much universal jurisdiction can be utilized in a non-selective, non-political manner, and in a way that it would not end up being a means of advancing foreign policy goals that have nothing to do with justice, and in fact, in a way that would prove to be contrary to the very objective universal jurisdiction was designed to promote and safeguard.

There exist a large number of empirical instances that encourage skepticism about the chances of the non-selective application of the principle. The various Decisions of the Assembly of Heads of States and Governments of the African Union on the abuse of the principle of universal jurisdiction reflect the concern by the Heads of States and Governments of member states of the African Union over the prosecutions instituted and the arrest warrants issued by certain foreign courts against sitting African leaders or other high ranking officials in violation of the immunity granted to them under international law.

**Mr. Chairman,**

For us, it is absolutely critical that the exercise of the principle of universal jurisdiction shall be in tandem with recognized rules of international law. It should give respect for the principle of state sovereignty and primacy of actions by states regarding criminal prosecutions application. The primary responsibility of prosecuting and serving justice rests with the Member State where the crime has been committed.

The principle should only be invoked as a complimentary jurisdiction for serious crimes based on their effect on the entire humanity; provided that these acts are condemned by the global community as heinous crimes compromising our common values and interests.

Moreover, its application should take into account the immunities to which foreign state officials are entitled under international law while exercising representative functions on behalf of their respective governments.

**Mr. Chairman,**

The absence of generally accepted definition of the concept and lack of consensus on the offences that are subject of the jurisdiction makes it difficult to strike the appropriate balance between bringing perpetrators to justice on the one hand and limiting the scope and application of the principle and its politicization on the other hand. The different approaches on its application and the range of its coverage have resulted in subjective considerations which are undermining the common resolve to fight impunity.

**Mr. Chairman,**

My delegation would like to emphasize the importance of regulating the scope and application of the principle of universal jurisdiction in order to avoid its arbitrary application. The Sixth Committee should continue its substantive debate on the item for in-depth exploration of the possibility of developing a consistent standard on the scope and application of the principle of universal jurisdiction.

**Thank you!**