

ISRAEL

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CHECK AGAINST DELIVERY

Statement by:

Mr. Amit Heumann

Legal Adviser

Permanent Mission of Israel to the United Nations

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The Scope and Application of the Principle of Universal Jurisdiction

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Mr. Chairman,

Israel welcomes this opportunity to once again engage in a dialogue on the Scope and Application of Universal Jurisdiction.

Israel would like to thank the Secretary General for his recent report (A/69/174) and for his ongoing contribution to this sensitive and complex topic.

Israel acknowledges the importance of combating impunity and ensuring that perpetrators of the most serious crimes of international concern be brought to justice – a conception that is shared by many other states in the international community.

Reading the Secretary General's reports, it is evident that many States recognized the fact that universal jurisdiction is supplementary and subsidiary to national jurisdiction. Therefore, it is only an option of last resort.

Mr. Chairman,

At the same time, there are divergent views among members of the international community with regard to the principle of universal jurisdiction – including with regard to the definition, the legal status, the scope and the conditions for the application of this principle.

Such conflicting perspectives are reflected in inconsistent definitions of universal jurisdiction, which appear in the national legislation of different States.

Moreover, national legislation and domestic judicial practices, demonstrate divergent views regarding *which* crimes the principle of universal jurisdiction applies to. In fact, some of the cases dealt with offenses which are lacking the basic characteristics inherent to the concept of universal jurisdiction under international law.

The Secretary General's Report – as well as the national reports submitted – demonstrate a wide understanding of the need to prevent the abuse of the principle of Universal Jurisdiction, by establishing appropriate safeguards in national legal systems. These include, for example, a requirement that prosecution based on universal jurisdiction be conducted by public prosecution; a requirement to seek approval from high-level legal officials for the exercise of universal jurisdiction; requiring the presence of the accused as well as additional jurisdictional links.

In conclusion, Mr. Chairman, Israel looks forward to a thorough discussion of these issues and reiterates its willingness to work constructively to this end with other States in the working group.

Thank you, Mr. Chairman.