

**Statement by Ms. Pham Thi Thu Huong, Representative of Viet Nam  
at the Sixth Committee of the 69th Session of the General Assembly  
on Agenda Item 83 “The scope and application of the principle of universal  
jurisdiction”**

*15 October 2014*

Mr. Chairman,

First of all, we would like to thank the Secretary General for his annual report (A/69/174) dated 23 July 2014 on the scope and application of the principle of universal jurisdiction, which was prepared on the basis of comments and observations from Member States and relevant observers.

Mr. Chairman,

We would like to share the views made by many delegations that the principle of universal jurisdiction is an important instrument to combat international crimes and fight against impunity. The exercise of universal jurisdiction is to ensure that the perpetrators of those crimes must not go unpunished, thus contributing to the enforcement of international justice and promoting the rule of law. However, the improper application of universal jurisdiction may impair State sovereignty and go against general principles enshrined in the Charter of the United Nations. Therefore, it is essential to define the concept and scope of the principle and the conditions under which, universal jurisdiction may be revoked and exercised. In this regards, Viet Nam associates itself with the statement made by the distinguished representative from Iran on behalf of the Non-Aligned Movement.

With regard to the scope of the principle of universal jurisdiction, it is generally agreed that the range of crimes subject to universal jurisdiction must be clearly defined and agreed upon by States. We are of the view that these crimes should be limited to the most serious crimes of international concern, including genocide, crimes against humanity and war crimes. With respect to the application

of this principle, we would like to emphasize that universal jurisdiction should be applied in good faith, with much caution and within well-founded legal framework in order to avoid any abuse that may go against the principles of the sovereign equality and non-interference in the internal affairs of other States. Universal jurisdiction should be considered as the last resort and complementary to other jurisdictions, which have a stronger link to the crimes, such as territorial jurisdiction or jurisdiction of nationality. In case the State where the crimes occurred or the State of nationality of the alleged perpetrators or the State of nationality of the victims can prosecute the crimes in question, universal jurisdiction should not be exercised. In addition, a State may exercise universal jurisdiction over a crime only when the alleged perpetrator is present in its territory.

Mr. Chairman,

In order to ensure the proper understanding and exercise of universal jurisdiction, we support all the efforts to clarify and develop international standards or guidelines that clearly set out the crimes subject to universal jurisdiction and the conditions under which this principle may be revoked and applied. In this regard, we welcome contributions of States on sharing information and observations on scope and application of universal jurisdiction, including their national rules and judicial practice. We also welcome the work of the Working Group and look forward to its outcome that would help advance the discussion of this topic.

I thank you, Mr. Chairman.