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Statement

By

**His Excellency Mr. Chayapan Bamrungphong
Ambassador and Deputy Permanent Representative of Thailand**

before the Sixth Committee

of the 70th Session of the United Nations General Assembly

**Agenda Item 86 : The scope and application of
the principle of universal jurisdiction**

New York, 20 October 2015

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Mr. Chairman,

At the outset, Thailand aligns itself with the statement made by the distinguished representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

Thailand wishes to thank the Secretary-General for his report contained in document A/70/215, which presents information received from Member States and relevant observers on scope and application of universal jurisdiction, including information on the relevant applicable international treaties and their national legal rules and judicial practice. Thailand also welcomes the establishment of the working group at this session of the Sixth Committee as a forum for States to further deliberate on this topic.

Mr. Chairman,

Thailand attaches great importance to the application of the principle of universal jurisdiction, especially in establishing jurisdiction over serious crimes of international character. We believe that proper application and exercise of universal jurisdiction would help enhance accountability, end impunity and promote the rule of law at the national and international levels.

According to Section 7 of the Thai Penal Code, Thailand has established jurisdiction over serious criminal offences namely offences relating to the Security of the Kingdom, terrorism, counterfeiting and alteration as well as robbery and gang-robbery in the high seas, although they are committed outside the territory of the Kingdom.

In addition, to implement international treaties to which Thailand is a Party, Thailand has promulgated national legislations to establish jurisdiction over certain crimes. These include transnational organized crimes and human trafficking as defined by the United Nations Convention against Transnational Organized Crime and the supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children respectively.

In this regard, let me highlight the most recent development in Thailand regarding fisheries law. For the purposes of compliance with obligations to which Thailand is committed to be bound by international organizations and conventions relating to fisheries conservation and management to which Thailand is a state

party, we are in the process of drafting Royal Ordinance on Fisheries with a view to combatting IUU fishing. The new draft Royal Ordinance would allow Thai courts to prosecute IUU fishing regardless of where it takes place and regardless of nationality of offenders and ships.

Mr. Chairman,

The differing views of States regarding definition, scope and application of universal jurisdiction is one of the reasons allowing perpetrators of certain serious crimes to enjoy safe haven. Thailand believes that perpetrators of serious crimes, who do not fall within the scope of the principle of universal jurisdiction, must, nevertheless, be brought to justice. At least, they should be prosecuted by the State on whose territory the crimes are committed, or by the State whose nationals are victims of such crimes.

Thailand also believes that the International Law Commission should be tasked to discuss the scope and application of the principle of universal jurisdiction so as to provide guidance to States on this important topic.

I thank you, Mr. Chairman