

Translated from Russian

The position of the Republic of Belarus on the issues of the scope and application of the principle of universal jurisdiction

The Republic of Belarus has consistently advocated for the need to ensure certainty of punishment for crimes committed and for the need to address impunity.

The Republic of Belarus is of the view that universal jurisdiction in the true sense of that term can be based only on the norms of international law, both the law of treaties (by means of criminalization in universal multilateral treaties) and customary law.

We believe that the criterion for universal jurisdiction to go into effect should be fairly clear: the crime in question should be one that is damaging to the interests of every single member of the international community.

The Republic of Belarus proposes consideration of the following as meeting this criterion:

Crimes against peace;

War crimes;

Crimes against humanity;

Piracy;

Trafficking in persons;

Cross-border organized trafficking in narcotics and drugs.

Belarus supports the desire to reach a collective understanding of the list of crimes to which the principle of universal jurisdiction would apply, as well as the conditions of its implementation.

Such a collective understanding should be based on a consensus among States.

Reaching a collective understanding of the issues of the scope and application of the principle of universal jurisdiction will make it possible to avoid creating ill-founded conditions for an expansion of the extraterritoriality of States and abusive application of the principle of universal jurisdiction in order to interfere in the internal affairs of other States and destabilize their sociopolitical situations.
