



REPUBLIC OF ZAMBIA



Permanent Mission of Zambia to the United Nations, 237 East 52nd Street, New York, NY 10022
Tex: (212) 888-5770 Fax: (212) 888-5213 E-mail: zambia@un.int

Please check against delivery

**SEVENTY FIRST SESSION
OF THE
UNITED NATIONS GENERAL ASSEMBLY
SIXTH COMMITTEE**

STATEMENT

BY

**MR. E. J. CHINYONGA
ASSISTANT DIRECTOR – (INTERNATIONAL ORGANIZATIONS)**

AGENDA ITEM 86

**THE SCOPE AND APPLICATION OF THE PRINCIPLE OF
UNIVERSAL JURISDICTION**

*11 October, 2016
New York, NY*

Mr. Chairman,

My delegation wishes to align itself with the statement made by the distinguished Representative of the Islamic Republic of Iran speaking on behalf of the Non-Aligned Movement and South Africa on behalf of the African Group, on this agenda item.

Zambia takes note the Report of the Secretary-General on the Scope and Application of the Principle of Universal Jurisdiction contained in document A/71/111, prepared pursuant to General Assembly resolution 70/119. We would like to commend the countries that submitted information on Scope and Application of the Principle of Universal Jurisdiction.

Mr. Chairman,

Zambia recognizes that the principle of Universal Jurisdiction when used in good faith, is a positive and powerful tool for the preservation of the fundamental values of the international community, for the protection and promotion of the rule of law and human rights and for the advancement of the fight against impunity.

While recognizing the value of applying Universal Jurisdiction when dealing with heinous crimes such as war crimes, genocide and torture, Zambia believes that, there is inadequate legal clarity regarding the scope and application of this principle. For as long as this principle continues to be applied outside of mutually agreed parameters, it will be prone to abuse and selective application.

Mr. Chairman,

There is need to strike a delicate balance between the operation of Universal Jurisdiction and the existence of other principles of international law such as State sovereignty, sovereign equality of States, immunity of State officials and the rule of law. This is critical as State Sovereignty is the foundation principle of interstate relations and any unprovoked encroachment upon it has the potential of destabilizing international relations and eroding from the objectives of the United Nations Charter of ensuring the maintenance of international peace and security.

Additionally, the Scope and Application of the Principle should obligate States to ensure that universal jurisdiction is always exercised in good faith in order to prevent any misapplication or improper resort to the principle, therefore clarity is of essence in application of Universal jurisdiction, with recourse as the last resort.

Mr. Chairman,

Zambia remains dedicated to ensuring that those who commit offences that are abhorrent to the collective conscience of the international community and that infringe upon international public policy are answerable for those offences. Zambia however firmly believes that international efforts to combat international crime should complement domestic legal regimes, hence the need to strengthen domestic legal frameworks to facilitate the legitimacy exercise of the Universal jurisdiction.

Zambia hopes that this discourse will prompt the review of respective statutes deal adequately with the question of Universal Jurisdiction.

Mr. Chairman,

In conclusion, my delegation is optimistic that the outcome of the discussions of the working group will enable us to make progress in the formulation of a comprehensive definition for the scope and application of universal jurisdiction.

I thank you, Mr. Chairman.