

REPUBLIC OF RWANDA



Rwanda Statement

Before the Sixth Committee: Under Agenda Item 85 "The Scope and Application of the Principle of Universal Jurisdiction"

Mr. Chairman,

Thank you for this opportunity to speak on the application of the Principle of Universal Jurisdiction. RWANDA would like to align herself with the statement delivered on behalf of the Africa Group and that delivered by NAM

Mr. Chairman

1. Let me begin by stating that international criminal justice is in a crisis of credibility, and on this, I wish to make few comment on the issue of Universal Jurisdiction exercised,

most abusively. There are both political and legal dimensions to the principle of universal jurisdiction, and both dimensions deserved due consideration head on.

2. A number of speakers on the subject of the principle of universal jurisdiction demonstrated its great significance, both to the conduct of international law and to international relations in general. We would not challenge the legality of the principle, but it is devoid of abuse or misuse in its application, whether for political or any other ends.

Mr. Chairman

3. The principle had often been cited as vital to the fight against impunity; allow me to point out that- a large number of "key masterminds" of the 1994 genocide in Rwanda remains at liberty around the world, in the backyards of some countries, enjoying the impunity the principle was intended to end.

4. **On the application of the principle:** Rwanda believes in an International Justice system, based on equality of states, equality of all the people before the law; a system based on recognizable universal shared values. In that regard, Rwanda joins other delegations to reject political manipulations, double standards and excessive abuse in the application of this noble principle.

Mr. Chairman

3. The UN needs to face up the challenge caused by abusive application of the principle of universal jurisdiction: and below are our few thoughts;

1. There is need to strike the right balance to end the culture of impunity while at the same time establishing safe guards against the potential/abuse of the principle of universal jurisdiction,

2. International arrest warrants should have a blessing of the Interpol to avoid partisan political manipulation. Bilateral relationship between States should not be taken as an excuse to flout Interpol's position. In all circumstances the opinion of

international police (Interpol), should be sought whether international arrest warrants should be issued on the basis of evidence available. Where Interpol itself has not issued or advised that international arrest warrants should be issued, no state should feel obliged to respect arrest warrants issued by individual judges from any UN member states

3. There must be a system of review where by an aggrieved party can appeal to another judge or another tribunal to review the decision of a judge issuing indictments and/or international arrest warrants against the leaders of another country

4. The review process can be before a court of national, regional or international jurisdiction but certainly there must be a system of review such that no individual judge anywhere in the world should have unlimited powers to hold an independent and sovereign state at ransom for political or any other gain hiding behind universal or other perceived or assumed jurisdictional competence

5. While this review process is going on, individuals and States should be permitted to conduct their businesses normally until the review process is completed. Short of this, large and powerful states or political judges from those states may gag, stifle or swallow small nations or its entire leadership or both.

In conclusion let me re-state that Rwanda believes in a fair international legal order- based on shared universal values and mutual respect between States; a system where justice is not just about form but substance.

We will cooperate with any State or individual that will enhance a fair international legal order.

I thank you