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Statement

by

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First Secretary

**Permanent Mission of the Kingdom of Thailand
to the United Nations**

**before the Sixth Committee
of the 72nd Session of the United Nations General Assembly**

**Agenda Item 85:
The scope and application of the principle of
universal jurisdiction**

New York, 11 October 2017

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Mr. Chair,

The Kingdom of Thailand aligns itself with the statement delivered by the distinguished representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement (NAM).

Thailand wishes to thank the Secretary-General for his comprehensive report contained in document A/72/112, which forms a good basis for the deliberations in the Sixth Committee on the question of the scope and application of universal jurisdiction. Thailand also wishes to commend the work of the Sixth Committee for its continued effort in facilitating the discussion of this important topic and welcomes the establishment of the working group in accordance with GA resolution A/71/149.

Mr. Chair,

Thailand attaches great importance to the advancement of the rule of law at all levels and ending impunity to ensure accountability and build just, peaceful and inclusive societies everywhere. To that end, it is our belief that only with judicious and responsible application of the principle of universal jurisdiction over crimes that are of serious concern to the international community can we bring perpetrators to light and then justice.

Nonetheless, my delegation is of the view that, at the same time, national judicial systems should be further strengthened. Perpetrators should be prosecuted by the State on whose territory the crimes were committed or by the State whose nationals are victims of such crimes, in the case where it does not fall within the scope of the principle of universal jurisdiction.

Mr. Chair,

Thailand has established universal jurisdiction over a number of serious criminal offenses relating to national security, terrorism, money laundering, counterfeiting, piracy, robbery and gang robbery in the high seas, indecency, human trafficking and transnational organized crimes. Perpetrators of these crimes will be prosecuted in the Kingdom of Thailand although such crimes were committed outside of the territory of the Kingdom.

In addition, we are seriously undertaking a comprehensive reform of our fisheries law, aiming to enhance governance and to also root out illegal, unreported and unregulated (IUU) fishing as well as human trafficking and forced labour in the fisheries sector. We have recently become a State party to the United Nations Fish Stock Agreement, and our current law now allows the Thai courts to prosecute IUU fishing and unlawful labour practices regardless of where it takes place and regardless of nationality of offenders and ships.

Mr. Chair,

My delegation wishes to emphasize on the necessity to agree on the definition of universal jurisdiction and its scope and to establish clear rules for the application of such principle. Distinction should also be made between its application and the obligation to extradite or prosecute as required by international treaties. Most important of all is to promote a better and common understanding among Member States on this very important issue. The application of the principle of universal jurisdiction should be founded on a sound legal basis, consistent with the principles and rules of international law.

For this reason, Thailand commends the work of the International Law Commission thus far and extends our continued support on its work in the future. Lastly, Thailand also wishes to reiterate our full trust and support to the Sixth Committee, especially the working group of this session for this agenda item, to resolve the ambiguity that remains.

Thank you, Mr. Chair.
