



New Zealand Permanent Mission to the United Nations

Te Māngai o Aotearoa

UNGA 73: Sixth Committee: The Scope and Application of the Principle of Universal Jurisdiction (Agenda item 87)

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I have the honour of speaking today on behalf of Canada and Australia, as well as my own country, New Zealand.

CANZ welcomes the opportunity to once again engage in a dialogue on the scope and application of universal jurisdiction. We thank Member States for their contributions to the Secretary-General's annual report and look forward to a robust discussion in the Working Group during this seventy-third session.

CANZ recognises universal jurisdiction as a well-established principle of international law, which provides a legal basis for States to prosecute and punish the most serious crimes of international concern, regardless of where the conduct occurred and the nationality of the perpetrator.

Universal jurisdiction provides an important mechanism to ensure that the perpetrators of the most serious international crimes do not receive safe haven anywhere in the world. It offers a complementary framework to ensure that persons accused of such crimes can be held accountable in circumstances where the territorial State is unwilling or unable to exercise jurisdiction. Ending impunity is critical to promoting the rule of law and to providing redress for victims.

Such crimes are particularly offensive to the international community as a whole. Australia, Canada and New Zealand have recognised universal jurisdiction over the most serious international crimes such as genocide, crimes against humanity, war crimes, slavery, torture and piracy.

Given the complementary nature of the framework, CANZ reiterates that, as a general rule, the primary responsibility for investigating and prosecuting serious international crimes rests with the State in which that conduct occurs. Those States are in the best position to see justice done, given their access to evidence, witnesses and victims.

CANZ wishes to emphasise the need to exercise universal jurisdiction in good faith and with regard to other principles and rules of international law, including laws related to diplomatic relations and privileges and immunities. It is critical that universal jurisdiction is applied in a manner consistent with the rule of law and the right to a fair trial.

Canada, Australia and New Zealand all have legislation establishing universal jurisdiction in respect of the most serious international crimes. We encourage Member States that have not already done so to incorporate universal jurisdiction into their domestic legislation and to work cooperatively and collaboratively to hold perpetrators to account.

We look forward to continuing the valuable discussion on the scope and application of the principle of universal jurisdiction through our Working Group and reiterate our willingness to work constructively with other States on this issue. The perpetrators and would-be perpetrators of the most serious international crimes must be deterred and know that their actions will not go unpunished.

Thank you.