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*(translation)*

**Statement by Mr. LI Jiuye**

*Chinese Delegate*

**At the Sixth Committee of the 73<sup>rd</sup> Session of  
the United Nations General Assembly**

*On Agenda Item 87*

**The Scope and Application of the Principle of Universal Jurisdiction**

*New York, 9 October 2018*

Mr Chairman,

Universal jurisdiction is a multifaceted issue with political, legal and diplomatic dimensions. The Chinese delegation believes that the discussions in the Sixth Committee in the recent years to clarify the scope and application of universal jurisdiction are of positive significance. During past deliberations and as reflected in the informal documents of working groups, member states fully exchanged views and shared information on this topic and all acknowledged the importance of fighting impunity and achieving judicial justice. However, member states had huge divergence on the applicability of universal jurisdiction and on the conditions required for such application in circumstances other than piracy. State practice and *opinio juris* in this field reveal significant differences among states and so far, there are no widely recognized rules of customary international law on the subject.

Mr Chairman,

China would like to reiterate that the establishment and exercise of universal jurisdiction must be guided by the purposes and principles of the UN Charter and the norms of international law, e.g. non-violation of the sovereignty of other states, non-interference into their internal affairs, and non-violation of the immunity of states, state officials, members of the mission and consular post. Universal jurisdiction is neither tantamount to the obligation of *aut dedere aut judicare* in treaties, nor to jurisdiction of current international judiciary organs expressly mandated by treaties or other legal instruments. The original purpose for the Sixth Committee to include and discuss this item was to ensure that member states define universal jurisdiction in a prudent manner, guard against abuse and selective application of this concept and strike the much-needed balance between fighting impunity on the one hand and safeguarding national sovereignty and stability of international relations on the other.

This year marks the 10th consecutive year for the Sixth Committee to deliberate on universal jurisdiction. In view of the tremendous differences among member states on this topic and the dire prospects of reaching consensus in the near future, and also in view of the decision by the ILC at its 70th Session this year to include “Universal Criminal Jurisdiction” in its long-term work program, we suggest that member states seriously ponder on whether it is necessary to continue deliberations on this item in the Sixth Committee.

Thank you, Mr Chairman.