



# MYANMAR

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Statement by Mr. Nyan Lin Aung, Alternate Representative  
of the Republic of the Union of Myanmar  
on Agenda Item 87:  
“The Scope and Application of the Principle of Universal Jurisdiction”  
New York, 10 October 2018

Mr. Chairman,

Myanmar aligns itself with the statement made by the distinguished representative of the Islamic Republic of Iran on behalf of Non-Aligned Movement (NAM). My delegation also thank to the Secretary General for his report on this agenda item.

Mr. Chairman,

Myanmar acknowledges the efforts of the Sixth Committee to further clarify the scope and application of the principle of universal jurisdiction. Nevertheless, the International Community is still far from reaching a consensus over the definition, condition, scope, application and procedure of the Universal jurisdiction.

In this regard, Myanmar is of the view that there must be international consensus on the definition, condition, scope, application and procedure of the Universal Jurisdiction. Otherwise, it will lead to different application in different cases and creating an opportunity for abusive application by some states or a group of states through legal institution. That would undermine properly established rule and principle of international law including principles enshrined in the United Nations Charter.

Mr. Chairman,

Myanmar believes that the principle of Universal Jurisdiction should not be the jurisdiction basis for the exercise of criminal jurisdiction by some states or a group of states or a judicial institution. Instead, it must complement to the existing bases of jurisdiction recognized under international law especially national ownership, territorial integrity and sovereignty.

In this connection, my delegation is of the view that the main responsibility for exercise of criminal jurisdiction lies with the state where the crime took place. Otherwise, there is high possibility of misappropriate or improper resort to the universal jurisdiction. Therefore, my delegation stresses the need for strict observance of respect for national sovereignty, territorial integrity and political independence of every state. We share with many countries the concern about the implication of the application of universal jurisdiction on the immunity of state officials and the sovereignty of state concerned.

Last but not least, my delegation would also like to highlight the risk of selectivity and manipulation in the application of the principle of universal jurisdiction that could transform it to a political instrument rather than a legal mechanism.

I thank you, Mr. Chairman.