

REPUBLIC OF RWANDA



Rwanda Statement

By Robert KAYINAMURA,

Before the Sixth Committee, 73rd session: Under Agenda Item “The Scope
and Application of the Principle of Universal Jurisdiction”

October 10, 20189

Mr. Chairman,

RWANDA aligns herself with the statement delivered on behalf of the Africa Group and that delivered on behalf of NAM

Mr. Chairman

Rwanda is supportive of mechanisms and means that can help fight impunity and afford justice to victims of the core crimes, namely, genocide, war crimes and crimes against humanity. We must end impunity by ensuring that heinous crimes that affect the international community do not go unpunished.

Mr. Chairman

While the principle of UJ has 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 against the Tutsi remains free around the world, in the backyards of some countries, enjoying the impunity the principle was intended to end. We commend those Countries especially in Europe, the USA and Canada, that brought to justice,

prosecuted and/or extradited the most wanted genocide perpetrators in view of not making their countries a safe heaven for criminals.

Mr. Chairman

Allow me to turn my attention on the **Abuse and Misuse of the UJ.**

We must recall that, when this agenda item was placed on the agenda of the sixth committee, some countries had been victims of the abusive use and misuse of the principle of Universal Jurisdiction. **This trend continues.** Due to these trends the international criminal justice system is in a credibility crisis. The **UN** must step up and face the challenges caused by the abuse and misuse of the principle of universal jurisdiction

In this context, because of the potentially or disruptive effect of abuse and misuse of universal jurisdiction, it is imperative that disciplines be established regarding regulation of the concept.

The potential for abuse and politicization of the universality principle is a live. **WE** must be alert of motives of some political lawyers and Judges, behind politically-motivated universal jurisdiction cases. **We** must make sure that there is no exploitation of courts using legal frameworks in some countries in order to harass other nations or aimed at achieving political and military goals

Mr. Chairman

We have noticed that, some lone judges from some countries consistently disregarded normal international justice mechanisms and, accorded themselves the right to extend national jurisdiction to indict weaker nations. In some incases, these lone Judges were able to hold nations at ransom under the guise of international justice. Although they have been proven to have been politically manipulated none has been held accountable for their ill actions

Mr. Chairman

In view of addressing confusion in the UJ, African countries through AU adopted the African Model Law on Universal Jurisdiction, over International Crimes to assist member states to adopt and strengthen national legislations on the prosecution of those accused of International Crimes. This model law offers us a template for developing UJ legislation, which our countries can adapt to suit our domestic peculiarities. The model law has the potential to ensure that our laws on UJ are harmonized in content, thereby minimizing potential clashes similar to those brought about by the UJ laws in other countries. We encourage other regions to enact such Model law to guide them in this regard

Mr. Chairman

My delegation reiterates the following;

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 and misuse of the principle of universal jurisdiction,

2. In cases where political manipulation is suspected, my delegation believes that there must be a system of review where by an aggrieved party can appeal to review the decision of a judge issuing indictments and/or international arrest warrants against the leaders of another country,
3. 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 stifle or swallow small nations or its entire leadership or both. This has high potential for instability and negative effects on international law and order

Mr. Chairman

In conclusion. We urge Member States and relevant UN institutions to take into account the concerns raised on abuse and misuse of the principle of UJ as this will help a meaningful debate on the issue of universal jurisdiction.

I thank you