



**PERMANENT MISSION OF SINGAPORE
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**STATEMENT BY MR NATHANIEL KHNG,
DELEGATE TO THE 73RD SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY,
ON AGENDA ITEM 87,
ON THE SCOPE AND APPLICATION OF THE PRINCIPLE
OF UNIVERSAL JURISDICTION,
SIXTH COMMITTEE
10 OCTOBER 2018**

[Please check against delivery]

1 Thank you Mr Chair. We would like to start by thanking the Secretary-General for his report on this agenda item.

2 The principle of universal jurisdiction is based on a recognition that some crimes are so serious, and of such exceptional gravity, that their commission shocks the conscience of all humanity. The international community has the shared responsibility to combat such crimes, and to support the global commitment to combat impunity.

3 Mr Chair, Singapore's views on this topic are well-known and we do not intend to repeat them at length today. Instead, allow us to reiterate four points that we consider particularly pertinent:

- (a) First, universal jurisdiction does not apply to all crimes. It is reserved for certain crimes whose abhorrent nature merits its application. In determining whether universal jurisdiction is applicable to a crime, and in line with established rules for identifying customary international law, we must conscientiously analyse State practice and *opinio juris*.
- (b) Second, universal jurisdiction is not and should not be the primary basis for the exercise of criminal jurisdiction. It is a last resort. Universal jurisdiction is intended to complement, and not supplant, other bases of jurisdiction under international law. Such bases include the territoriality and nationality principles.

- (c) Third, universal jurisdiction cannot be exercised in isolation or to the exclusion of other relevant rules and principles of international law, such as rules relating to the immunity of State officials, State sovereignty, and territorial integrity.
- (d) Lastly, universal jurisdiction is a principle of customary international law, and should not be confused with the exercise of jurisdiction provided for in treaties or the exercise of jurisdiction by international tribunals. These concepts have different specific sets of considerations, juridical bases, objectives, and rationales.

4 Mr Chair, we end by noting that the International Law Commission has recently included the topic “Universal criminal jurisdiction” in its long-term programme of work, as reflected in its report on the work at its seventieth session. My delegation will give its views on the Commission’s report at the appointed time in this Committee. At this stage, my delegation simply notes that the question of whether this Committee should refer the topic of universal jurisdiction to the Commission has been the subject of discussion in the context of the Working Group of this Committee. We anticipate that the Working Group may once again consider this question at this session and we look forward to participating in those discussions.

5 Thank you very much, Mr Chair.

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