



MYANMAR

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Statement by Mr. Nyan Lin Aung, Alternate Representative
of the Republic of the Union of Myanmar
on Agenda Item 84:

“ The Scope and Application of the Principle of Universal Jurisdiction ”
New York, 17 October 2019

Madam Chair,

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 thanks the Secretary-General for his report on this agenda item.

Madam Chair,

My delegation commends the efforts of the Sixth Committee and its Working Group 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 connection, my delegation is of the view that the main responsibility of exercising universal jurisdiction lies with the state where the crime took place. Therefore, my delegation wishes to stress the need for strict observance of respect for national sovereignty, territorial integrity and political independence of every state. We should be aware of the high possibility of improper resort to the universal jurisdiction.

We also 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.

Madam Chair,

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. The establishment of the so-called Independent Investigative Mechanism on Myanmar is a classic example. It is a blatant attempt to abuse the application of universal jurisdiction which remains lack of consensus amongst nations, most importantly without the consent of the country concerned. In fact, IIMM is purely a political instrument rather than a legal mechanism, which will set a serious negative precedence for the future application of universal jurisdiction.

I thank you Madam Chair.