



**PERMANENT MISSION OF SINGAPORE
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**STATEMENT BY MS. CHUNG YOON JOO,
DELEGATE TO THE 74TH SESSION
OF THE UNITED NATIONS GENERAL ASSEMBLY
ON AGENDA ITEM 84,
ON THE SCOPE AND APPLICATION OF THE PRINCIPLE
OF UNIVERSAL JURISDICTION,
SIXTH COMMITTEE,
16 OCTOBER 2019**

[Please check against delivery]

Mr Chair, we would like to begin by thanking the Secretary-General for his report on this agenda item in document A/74/144.

2. Universal jurisdiction is an important principle of international law which supports the global commitment to combat impunity and bring justice to victims. The principle is based on a recognition that certain crimes are so heinous and of such exceptional gravity, that every State has a right to prosecute the perpetrators. In Singapore, piracy, genocide, and grave breaches of the Geneva Conventions are subject to domestic prosecution on the basis of universal jurisdiction.

3. Mr Chair, in light of the exceptional nature of the principle of universal jurisdiction, we would stress that its scope and application must not be inconsistent with its objectives and conceptual underpinnings. In this regard, while we do not propose to repeat at length Singapore's well-known views on this topic, my delegation would like to highlight four key points:

- (a) First, the principle of universal jurisdiction is not and should not be the primary jurisdictional basis for the exercise of criminal jurisdiction by States. That is to say, universal jurisdiction is a last resort, and should only be invoked in situations where no State is able or willing to exercise the

other established bases of jurisdiction, such as the territoriality and nationality principles.

- (b) Second, the principle of universal jurisdiction cannot be applied to any and all crimes. It should only be applied in respect of particularly grave crimes which affect the international community as a whole and which the international community has generally agreed is a crime for which the application of the principle of universal jurisdiction would be appropriate. In this regard, in order to determine if a crime is subject to universal jurisdiction, we must undertake a thorough and robust analysis of State practice and *opinio juris*. This would help to guard against any unjustified application or extension of the principle.
- (c) Third, universal jurisdiction cannot be exercised in isolation from, or to the exclusion of, other applicable principles of international law, including the principle of immunity of State officials from foreign criminal jurisdiction, State sovereignty, and territorial integrity.
- (d) Lastly, universal jurisdiction is a principle of customary international law, and it is discrete from the exercise of jurisdiction provided for in treaties or the exercise of jurisdiction by international tribunals constituted under specific treaty regimes. In order that there can be meaningful discourse on this topic, we should keep in mind that they each have their own specific set of juridical bases, rationale, objectives and considerations.

4. In conclusion, we hope that the discussion at the Working Group will be assisted by the points that we have made, and look forward to taking part in the same. Thank you, Mr Chair.

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