



**PERMANENT MISSION OF SINGAPORE  
TO THE UNITED NATIONS**

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**STATEMENT BY MR NATHANIEL KHNG,  
COUNSELLOR (LEGAL), PERMANENT MISSION OF SINGAPORE  
TO THE UNITED NATIONS, ON AGENDA ITEM 85,  
ON THE SCOPE AND APPLICATION OF THE PRINCIPLE OF  
UNIVERSAL JURISDICTION, SIXTH COMMITTEE,  
12 OCTOBER 2022**

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1 Mr Chair, my delegation thanks the Secretary-General for his report on this agenda item.

2 Singapore's views on universal jurisdiction, in relation to the exercise of criminal jurisdiction, are well-known. We recognise that certain crimes are so heinous, and of such exceptional gravity, that their commission shocks the conscience of all humanity. The international community has a common interest and shared responsibility to combat such crimes and bring justice to the victims. My delegation would like to reiterate four key points:

(a) First, universal jurisdiction is not and should not be the primary basis for the exercise of criminal jurisdiction by States. The main responsibility for the exercise of criminal jurisdiction lies with the State in whose territory the crime has occurred, or the State of nationality of the alleged perpetrator. Universal jurisdiction should only be invoked as a last resort, in situations where no State is able or willing to exercise the other established bases of jurisdiction, including the territoriality and nationality principles.

(b) Second, the principle of universal jurisdiction should only be applied in respect of particularly grave crimes which are of interest to, or affect the international community as a whole, and which the international community has generally agreed that it would be appropriate to apply the principle of universal jurisdiction.

(c) Third, universal jurisdiction is a principle of customary international law, and should be distinguished from the exercise of jurisdiction provided for in treaties or the exercise of jurisdiction by international tribunals constituted under specific treaty regimes. These scenarios each have their own specific sets of considerations, juridical bases, objectives, and rationales.

(d) Finally, universal jurisdiction cannot be exercised in isolation from, or to the exclusion of, other applicable principles of international law. These include the immunity of State officials from foreign criminal jurisdiction, State sovereignty, and territorial integrity.

3 Mr Chair, my delegation hopes that the discussions at the Working Group will be assisted by the points that we have highlighted. We look forward to discussions on this topic.

4 Thank you.

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