

**Statement by the Republic of Türkiye
on Agenda Item 85
“The Scope and Application of the Principle of Universal Jurisdiction”
at the Sixth Committee**

**12 October 2022
New York**

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Mr. Chair,

We thank the Secretary-General for his report under this agenda item and Member States and observers for their valuable input to the report.

Ensuring individual criminal accountability for the most serious crimes under international law occupies a crucial place in the overall efforts to strengthen the rule of law and maintain international peace and security.

Türkiye recognizes the importance of preventing impunity for perpetrators of such crimes, with the primary role to be assumed by Member States at the national level and through effective inter-State cooperation.

Universal jurisdiction is one of the tools available to us in our efforts to eliminate impunity. It is also a rather exceptional one that needs to be a last resort.

In this regard, we note that many Member States have also emphasized this exceptional character in their contributions, as reflected in the various reports prepared by the Secretary-General under this item in the past years.

These reports also include references to other notable characteristics of this principle, such as its secondary or subsidiary nature in relation to certain other principles like the territoriality and active/passive personality principles.

Türkiye also shares the views of many contributing States, as regards the necessity to uphold certain fundamental principles of international law, such as sovereign equality of States and non-interference in internal affairs.

Mr. Chair,

While the principle of universal jurisdiction may be resorted to and may indeed serve as an effective mechanism in certain circumstances, we also need to keep in mind the broad and legitimate concerns expressed by many delegations over the absence of a common understanding regarding its scope and over its potential abuse or misuse.

In this context, we believe that the scope, limits and application of this exceptional tool must be thoroughly considered and carefully monitored. First and foremost, the principle must be

exercised in strict compliance with the Charter of the United Nations.

Mr. Chair,

As included in the Secretary-General's reports that were discussed during the 73rd, 74th and 75th sessions of the Sixth Committee, the principle of universal jurisdiction is embodied in our domestic legislation.

According to the legal framework in place, Turkish courts are authorized -subject to strict requirements and conditions- to exercise jurisdiction over certain serious crimes, regardless of the nationality of the perpetrator or where the crime was committed.

On the other hand, Türkiye is a party to various bilateral and multilateral treaties that contain provisions concerning the principle of "prosecute or extradite", which is also relevant in terms of the discussions on the concept of universal jurisdiction, and provides an alternative route to achieve the goal of ensuring accountability for serious international crimes.

Mr. Chair,

We would like to conclude by reiterating our delegation's commitment to fighting impunity, while at the same time underlining the delicate balance that needs to be observed between this important goal and respecting the fundamental principles of international law and relations.

Thank you.