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**STATEMENT BY MS JEAN KUA,
DELEGATE TO THE 79TH SESSION OF THE UNITED NATIONS
GENERAL ASSEMBLY, ON AGENDA ITEM 85,
ON THE SCOPE AND APPLICATION OF THE PRINCIPLE
OF UNIVERSAL JURISDICTION,
SIXTH COMMITTEE,
15 OCTOBER 2024**

Mr Chair,

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

2 The principle of universal jurisdiction is important. It holds perpetrators responsible for the crimes they have committed and contributes to the global fight against impunity. Singapore recognises that certain crimes are so heinous, and of such exceptional gravity, that their commission shocks the conscience of humanity. The international community has a common interest and shared responsibility in combating such crimes and bringing justice to the victims.

3 My delegation would like to reiterate four key points on the principle of universal jurisdiction, which we think should be borne in mind during the Working Group discussions on this topic.

- (a) First, universal jurisdiction is not and should not be the primary basis for the exercise of criminal jurisdiction by States. Instead, the primary bases should be the territoriality principle or the nationality principle. This means that 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, to prevent the alleged perpetrator from continuing to act with impunity, in situations where no State is able or willing to exercise the other established bases of jurisdiction, including the territoriality and nationality principles. This serves to reduce the potential for abuse, while ensuring that the perpetrators of the most heinous crimes are held accountable.

- (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 to which the international community has generally agreed that it would be appropriate to apply the principle of universal jurisdiction. In this respect, we note that there remains significant variance as to the specific crimes which delegations consider to be crimes of international concern subject to universal jurisdiction.
- (c) Third, we should keep in mind the principled distinction between on the one hand, the exercise of universal jurisdiction, which is a principle of customary international law, and, on the other hand, the exercise of jurisdiction pursuant to a treaty obligation to extradite or prosecute or the exercise of jurisdiction by international tribunals constituted under specific treaty regimes. The exercise of jurisdiction in each of these scenarios has different specific sets of considerations, juridical bases, objectives, and rationales.
- (d) Finally, universal jurisdiction exists within the larger international legal order. It cannot be applied in isolation from, or to the exclusion of, other applicable principles of international law. These principles include the immunity of State officials from foreign criminal jurisdiction, State sovereignty, and territorial integrity. Universal jurisdiction must also be applied in a manner consistent with the principles of due process, transparency, rules of procedure and evidence, and international comity, amongst others.

4 My delegation hopes that the discussions at the Working Group will be assisted by the points that we have highlighted. We look forward to the discussions with great interest.

5 I thank you very much, Mr Chair, for your attention.

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