



REPUBLIC OF MOZAMBIQUE

STATEMENT

BY

**THE DELEGATION OF MOZAMBIQUE
AT THE SIXTH COMMITTEE DURING THE
79TH SESSION OF THE UNITED NATIONS
GENERAL ASSEMBLY**

ON THE

**AGENDA ITEM 85: THE SCOPE AND
APPLICATION OF THE PRINCIPLE OF
UNIVERSAL JURISDICTION**

15 October 2024 (03:00 pm)

United Nations

New York

Mr. Chair

1. Mozambique aligns itself with the statement delivered by the distinguished representative of Uganda on behalf of the African Group (AG) on the subject under consideration.
2. We wish to present some remarks in our national capacity.

Mr. Chair,

3. Mozambique acknowledges the additional submissions by Member States and relevant Observers on the subject "*The scope and application of the principle of universal jurisdiction*", as detailed in the Secretary General's Report for the current Session.
4. We reaffirm our position as expressed at the 77th and 78th sessions of the Committee, which is in line with the position of the African Group.
5. While recognizing the importance of combating impunity for the most egregious crimes under international law, we emphasize

that this objective must not result in selectiveness and misuse of the principle of universal jurisdiction. The sovereign equality of States must be duly respected in the application of this principle.

Mr. Chair,

6. The acceptance of Universal jurisdiction remains a contentious issue among member States, given its implications for national sovereignty and the diverse approaches to its application.
7. In this context, Mozambique advocates for the continuation of discussions at both the Sixth Committee and the working group levels. We propose focusing on narrowing the remaining differences to reach consensus on “the relevant elements of a functional concept of universal jurisdiction”.
8. This process should be conducted within the framework of the UN Charter, adhering to established rules and principles of international law rules and principles, including respect for State sovereignty and non-interference in States internal affairs.

9. In this context, we propose the following key elements for consideration in developing a functional concept of universal jurisdiction:

- (i) The gravity of the crimes, as defined by international law;
- (ii) The primacy of national jurisdiction, including international legal and judicial cooperation, and;
- (iii) The subsidiarity of other jurisdictions.

Mr. Chair,

10. We affirm that the primary jurisdiction over international crimes rests with individual States.

11. Mozambique's criminal jurisdiction is sufficiently comprehensive, aimed at preventing and combating impunity for both nationals and foreigners who commit serious crimes within Mozambican territory or abroad, when the offender is present in Mozambique and has not been previously tried.

12. We acknowledge that national criminal legislation can be further strengthened to enhance the effective implementation of international criminal justice.

13. In addition, our legal framework on international legal and judicial cooperation complements existing instruments in the fight against impunity for serious crimes subject to universal jurisdiction.
14. Furthermore, combatting serious offenses against public international order requires effective cooperation between States, particularly judicial cooperation in criminal matters.
15. In conclusion, we call upon all Member States to recognize that our shared goal of justice must supersede our differences.

I thank you!