



CZECH REPUBLIC

Permanent Mission of the Czech Republic to the United Nations

Check Against Delivery

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General Assembly

Agenda Item 84

The Scope and Application of the Principle of
Universal Jurisdiction

Statement by

Mr. Petr Válek

Legal Adviser of the Permanent Mission of the Czech Republic of

Mr. Chairman,

As it is the first time the Czech delegation is taking the floor in this session, allow me to congratulate you and the Bureau on your election. We believe that you will provide wise and effective leadership to the Sixth Committee and we assure you of our full support and cooperation.

Statements of some States at the High Level meeting on the rule of law on September 24, 2012, as well as today's discussion in the Sixth Committee, are the proof that the issue of universal jurisdiction remains relevant for the UN membership. As we declared in our two previous statements on this agenda item, we continue to believe that the scope and application of the principle of universal jurisdiction is a legal question, rather than a political one. As such, we proposed to refer this issue to the International Law Commission that could prepare a study on this topic. In this respect, our position has not changed. The legal complexity of this question was recently demonstrated by the ICJ in its Judgment in the case "Questions relating to the obligation to prosecute or extradite" (Belgium v. Senegal) of July 20, 2012.

During the last session of the GA, the Working Group for this agenda item was established. Although the Working Group managed to produce at the end of the session the able Chairmanship of Ambassador Ulibarrán Informal Paper, the discussion within this body clearly demonstrated the limits of the Sixth Committee. Specifically, there was not enough time to clarify the scope and application of the principle of universal jurisdiction, and the situation is most likely to be repeated at this session. In particular, the points listed under the "Issues for Discussion" in the Informal Paper, such as "crimes under universal jurisdiction" deserve closer attention which may not be possible to achieve in the hurried pace of the Sixth Committee, when we are trying to get all our resolutions done in time. Furthermore, the Sixth Committee operates as a political body, while the International Law Commission is an expert