

Statement by Mr. Mohammad Ghorbanpour
First Secretary to the Permanent Mission of the Islamic Republic of Iran to the UN
On behalf of the Non-Aligned Movement
Before the Sixth Committee
76th Session of the United Nations General Assembly
On Agenda Item 86:
37KH 6FRSH DQG \$SSOLFDWLRQ RI WKH 3ULQFLSOH RI
New York, 21 October 2021

I have the honour to deliver this statement on behalf of the Non Aligned Movement.

While the Non-Aligned Movement continues to diligently follow agenda item 86 HQWLWOHG 37KH VFRSH DQG DSSOL universal jurisdiction, the Movement also reiterates its call upon all States to seize this opportunity to consider its various aspects in order to identify its scope and limits of application as well as prevent any inappropriate resort to it.

Moreover, the Movement takes note of the Secretary-General's report contained in document A/76/203 prepared pursuant to General Assembly resolution 75/142 on the basis of information and observations received from Governments and relevant observers.

The Non-Aligned Movement firmly believes that the principles enshrined in the Charter of the United Nations, particularly the sovereign equality of States as well as their political independence and non interference in the internal affairs of other States, should be strictly observed during any judicial proceedings. In this regard, the involvement of incumbent high ranking officials should be addressed in conformity with international law. By invoking universal jurisdiction, the exercise of criminal jurisdiction by national courts over high ranking officials who

The Movement therefore submits that the immunity of the States

The Non-Aligned Movement actively engaged in the deliberations on this agenda item, including within the Working Group established in accordance with paragraph 2 of General Assembly resolution 75/142. As such, we encourage all Member States of the United Nations to ardently participate in these discussions as well in order to identify the scope and limits of the application of universal jurisdiction as well as to consider establishing a mechanism to monitor such application and prevent its abuse in the future.

With respect to the discussions in the Working Group, the Movement reiterates that universal jurisdiction shall not replace other jurisdictional bases, namely territoriality and nationality, and only assert it among the most serious crimes. Expansion of the principle to include anything less than the most heinous crimes could call into question its very legitimacy. Moreover, it cannot be exercised in isolation or to the exclusion of other relevant rules and principles of international law, including not only state sovereignty and the territorial integrity of states but also the immunity of state officials from foreign criminal jurisdiction.

The Member Countries of the Movement remain open to sharing information and practices with other Member States in this regard. We are also of the view that it is premature at this stage of discussion to request the international law commission to undertake a study on the different aspects of universal jurisdiction. We look forward to reaching our common goal of mutual respect which includes maintaining rule of law around the globe as well as the proper application of universal jurisdiction without its abuse, while reiterating that the legitimacy and credibility of the use of universal jurisdiction would be ensured by its responsible and judicious application consistent with international law.

I thank you