



**STATEMENT BY MR SCOTT TAN,
DELEGATE TO THE 78TH SESSION OF THE UNITED NATIONS
GENERAL ASSEMBLY, ON AGENDA ITEM 84, THE SCOPE AND
APPLICATION OF THE PRINCIPLE OF UNIVERSAL JURISDICTION,
SIXTH COMMITTEE,
12 OCTOBER 2023**

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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. We recognise 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 victims.

3 My delegation would like to reiterate four key points on the principle of universal jurisdiction.

4 First, universal jurisdiction is not and should not be the primary basis for the exercise of criminal jurisdiction by States. 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, in situations where no State is able or willing to exercise other established bases of jurisdiction, including the territoriality and nationality principles.

5 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.

6 Third, we should keep in mind the principled distinction between the exercise of universal jurisdiction, which is a principle of customary international law, on the one hand, and 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 on the other. The exercise of jurisdiction in each of these scenarios has its own specific set of considerations, juridical basis, objectives, and rationales.

7 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.

8 My delegation hopes that the points we have raised will serve as a platform upon which Member States can work together towards a substantive and productive outcome.

9 Thank you very much, Mr Chair.