



# General Assembly

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Agenda item 83

## **The scope and application of the principle of universal jurisdiction**

### **Report of the Sixth Committee**

*Rapporteur:* Mr. Salvatore **Zappalà** (Italy)

#### **I. Introduction**

1. The item entitled “The scope and application of the principle of universal jurisdiction” was included in the provisional agenda of the sixty-ninth session of the General Assembly pursuant to Assembly resolution 68/117 of 16 December 2013.
2. At its 2nd plenary meeting, on 19 September 2014, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.
3. The Sixth Committee considered the item at its 11th, 12th and 28th meetings, on 15 October and 7 November 2014. The views of the representatives who spoke during the Committee’s consideration of the item are reflected in the relevant summary records ([A/C.6/69/SR.11](#), 12 and 28).
4. For its consideration of the item, the Committee had before it the reports of the Secretary-General submitted to the General Assembly at its sixty-fifth, sixty-sixth, sixty-seventh, sixty-eighth and sixty-ninth sessions ([A/65/181](#), [A/66/93](#) and Add.1, [A/67/116](#), [A/68/113](#) and [A/69/174](#)).
5. At its 1st meeting, on 7 October, the Committee established a working group pursuant to General Assembly resolution 68/117 to continue to undertake a thorough discussion of the scope and application of the principle of universal jurisdiction. At its 12th meeting, on 15 October, it elected Ms. Georgina Guillén-Grillo (Costa Rica) Chair of the Working Group. In its resolution 68/117, the Assembly decided that the Working Group should be open to all Member States and that relevant observers to the Assembly would be invited to participate in its work. The Working Group held three meetings, on 16, 17 and 23 October.



6. At its 28th meeting, on 7 November, the Committee heard and took note of the oral report of the Chair of the Working Group (see [A/C.6/69/SR.28](#)).

## **II. Consideration of draft resolution [A/C.6/69/L.8](#)**

7. At the 28th meeting, on 7 November, the representative of the Democratic Republic of the Congo, on behalf of the Bureau, introduced a draft resolution entitled “The scope and application of the principle of universal jurisdiction” ([A/C.6/69/L.8](#)).

8. At the same meeting, the Committee adopted draft resolution [A/C.6/69/L.8](#) without a vote (see para. 9).

### III. Recommendation of the Sixth Committee

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

#### **The scope and application of the principle of universal jurisdiction**

*The General Assembly,*

*Reaffirming its commitment* to the purposes and principles of the Charter of the United Nations, to international law and to an international order based on the rule of law, which is essential for peaceful coexistence and cooperation among States,

*Recalling* its resolutions 64/117 of 16 December 2009, 65/33 of 6 December 2010, 66/103 of 9 December 2011, 67/98 of 14 December 2012 and 68/117 of 16 December 2013,

*Taking into account* the comments and observations of Governments and observers and the discussions held in the Sixth Committee at the sixty-fourth to sixty-ninth sessions of the General Assembly on the scope and application of universal jurisdiction,<sup>1</sup>

*Recognizing* the diversity of views expressed by States and the need for further consideration towards a better understanding of the scope and application of universal jurisdiction,

*Reiterating its commitment* to fighting impunity, and noting the views expressed by States that the legitimacy and credibility of the use of universal jurisdiction are best ensured by its responsible and judicious application consistent with international law,

1. *Takes note with appreciation* of the report of the Secretary-General prepared on the basis of comments and observations of Governments and relevant observers;<sup>2</sup>

2. *Decides* that the Sixth Committee shall continue its consideration of the scope and application of universal jurisdiction, without prejudice to the consideration of this topic and related issues in other forums of the United Nations, and for this purpose decides to establish, at its seventieth session, a working group of the Sixth Committee to continue to undertake a thorough discussion of the scope and application of universal jurisdiction;

3. *Invites* Member States and relevant observers, as appropriate, to submit, before 30 April 2015, information and observations on the scope and application of universal jurisdiction, including, where appropriate, information on the relevant applicable international treaties and their national legal rules and judicial practice, and requests the Secretary-General to prepare and submit to the General Assembly at its seventieth session a report based on such information and observations;

<sup>1</sup> See [A/C.6/64/SR.12](#), 13 and 25 and [A/C.6/64/SR.1-28/Corrigendum](#); [A/C.6/65/SR.10-12](#), 27 and 28; [A/C.6/66/SR.12](#), 13, 17 and 29; [A/C.6/67/SR.12](#), 13, 24 and 25; [A/C.6/68/SR.12-14](#) and 23; and [A/C.6/69/SR.11](#), 12 and 28.

<sup>2</sup> [A/69/174](#); see also [A/68/113](#), [A/67/116](#), [A/66/93](#) and Add.1 and [A/65/181](#).

4. *Decides* that the working group shall be open to all Member States and that relevant observers to the General Assembly will be invited to participate in the work of the working group;

5. *Also decides* to include in the provisional agenda of its seventieth session the item entitled “The scope and application of the principle of universal jurisdiction”.

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