



**Statement by the Holy See**  
**74<sup>th</sup> Session of the United Nations General Assembly**  
**Sixth Committee consideration of item 84: The scope and application of the Principle of**  
**universal jurisdiction**  
**New York, 14-15 October 2019**

Mr. Chair,

My Delegation is grateful that this Committee continues to play an important role in furthering the cause of justice in the world, particularly as it seeks to prevent impunity for the most egregious criminal acts.

There is no crime against humanity or dignity that exceeds war crimes and crimes

Another long-standing principle that should be present in our discussions is the principle of subsidiarity, which requires that the international community and that third-party States defer to the State nationality of the alleged perpetrator and of the State in which the crime took place, given their nexus to the crime, to the extent that those States are willing and able to prosecute.

Moreover, any State seeking to exercise universal jurisdiction must have some concrete link to the facts or to the parties concerned in the case, such as the presence of the accused or of the victims in

its territory. Universal jurisdiction should not justify prosecutions *in absentia*, “forum shopping” or the unwarranted interference in the internal affairs of other States.

Similarly, in light of the principle of the Sovereign equality among States, particular attention must be given to the procedural conditions that must be met in order to set aside the jurisdictional immunities of public officials. While universal jurisdiction might be an effective method for