REPUBLIC OF MOZAMBIQUE
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STATEMENT

BY

THE DELEGATION OF MOZAMBIQUE TO THE
SIXTH COMMITTEE

ON THE

AGENDA ITEM 84: THE SCOPE AND APPLICATION
OF THE PRINCIPLE OF UNIVERSAL
JURISDICTION

DURING THE 78th SESSION OF THE UNITED
NATIONS GENERAL ASSEMBLY

NEW YORK, 16 OCTOBER 2023

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Mr. Chair

The delegation of Mozambique alignes itself with the statement
made by the distinguished representative of Uganda and Iran on
behalf of the African Group (AG) and Non-Aligned Movement
(NAM), respectively.

We thank the Secretary General for his report contained in
document A/78/130 based on information and observations from
member States and guest Observers on the topic, including,
where appropriate, information on the relevant applicable
international treaties and related national legal rules and judicial
practices.

I wish to make some additional remarks in my national capacity.

Mozambique reiterates its position expressed at the 77th S(re)2887 0 595.rT 0 595.-16 F3 16 T16 Tf6-16 F3 /5 S7(i)10(s)-6(h)11( )] TJ

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Fifteen (15) years have elapsed since the matter has been
incorporated in the agenda of our Committee, but clearly, no
progress has been recorded so far.

Mozambique believes that consent and cooperation, if regulated
within the multilateral system, can help to limit excessive abuse
and misuse of the principle of universal jurisdiction.

Furthermore, our delegation believes that universal jurisdiction
should be complementary to the national jurisdiction of the
country in question, exercised in good faith, and should not be
applied in a manner inconsistent with the principles of
international law and enshrined in the UN Charter, including
State sovereignty and non-interference in their internal affairs,
territoriality, nationality and diplomatic immunity.

My country’s criminal jurisdiction is sufficiently comprehensive to
prevent impunity for nationals and/or foreigners for serious
crimes committed in the Mozambican territory, or abroad when
the offender is in Mozambique and has not been tried.

In addition, the legal framework on international legal and
judicial cooperation of the Republic of Mozambique, in the
context of mutual legal assistance, with other States and
international organizations does not allow impunity for crimes
subject to universal jurisdiction.

Mozambique reiterates its support to the position of the African
Group and the ongoing multilateral dialogue, in accordance with
international law, with a view to promoting respect for the
principle of universal jurisdiction.

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The selective use and manipulation of the principle of universal
jurisdiction by some member States is not acceptable.
Another State could prosecute the offender only if the territorial State or the State with the greatest connection to the crime has
shown reluctance or inability to exercise its jurisdiction.
While the practice of member States regarding the scope and
application of the principle of universal jurisdiction is not
uniform, there also seems to be enough common ground to find
consensus on the application of the principle to serious crimes,
within the framework of the international law established rules.
Dialogue must continue at the level of the Sixth Committee and
Working Group in search for an acceptable definition of universal
jurisdiction and a shared understanding of the scope of its
application, thus avoiding abuse or misuse of this principle.
I thank you!