

## **Decision on the Abuse of the Principle of Universal Jurisdiction – Doc. EX.CL/731(XXI)**

The Assembly,

1. TAKES NOTE of the Report of the meeting of Ministers of Justice and/or Attorneys General held in Addis Ababa, Ethiopia on 14 and 15 May 2012 and the recommendations contained therein;

2. URGES Member States to participate actively in the upcoming discussions and negotiations on the scope and application of the principle of Universal Jurisdiction at the level of the Sixth Committee of the United Nations General Assembly (UNGA) during the sixty-seventh session of UNGA schedule for the last quarter of 2012;

3. INVITES Member States which have not yet done so, to submit their observations and information on the scope and application of Universal Jurisdiction to the UN Secretary General should UNGA through a Resolution make a similar request in the future;

4. URGES Member States through the African Group in New York to strongly put forth the concerns expressed on the abuse of the principle of Universal Jurisdiction by some non-African States as indicated in the various relevant Decisions of the Assembly;

5. ALSO URGES Member States to use the principle of reciprocity to defend themselves against the abuse of the principle of Universal Jurisdiction;

6. REITERATES its Decision Assembly/AU/Dec.199(XI) on the Abuse of the principle of Universal Jurisdiction which requested that the warrants of arrest issued on the basis of the abuse of the Principle of Universal Jurisdiction shall not be executed in any Member State;

7. REQUESTS the Commission, on behalf of the Assembly, to send an official communication to the European Commission, requesting the latter to transmit the AU concerns and request the Government of Spain to comply with the Laws of Spain with respect to the arrest warrants issued against Rwandan Leaders on the basis of the application of the principle of Universal jurisdiction and ALSO REQUESTS the AU Chairperson to send a similar request directly to the Prime Minister of Spain;

8. ALSO REQUESTS the Commission to follow-up on this matter and to report regularly on the implementation of the various Assembly decisions on the abuse application of Universal Jurisdiction.