

**Statement by Sweden on behalf of the Nordic countries**

**at the**

**General Assembly,  
Seventy-third Session**

**Sixth Committee**

**Agenda item 87:  
The scope and application of the principle of universal jurisdiction**

**United Nations,  
New York**

**9 October 2018**

Mr. Chair,

I have the honour to speak on behalf of the five Nordic countries: Denmark, Finland, Iceland, Norway and Sweden.

The principle of universal jurisdiction has been implemented into many national jurisdictions. The principle is an important tool for states to end impunity and to strengthen international criminal law. The principle allows national prosecutors to pursue individuals believed to be responsible for certain grave international crimes even though they were committed elsewhere and neither the accused nor the victims are nationals of that state. Such prosecutions are an increasingly important part of international efforts to hold perpetrators accountable, to provide justice to victims, to deter future crimes and to help ensure that there are no safe havens. Combating impunity for atrocity crimes is in the interest of the international community as a whole. This is our common responsibility.

While the sixth committee continues to discuss the scope and application of the principle of universal jurisdiction, the Nordic countries note that the topic "Universal Criminal Jurisdiction" has been taken into the long-term program of the ILC. The principle of universal jurisdiction draws on developments in international law including state practice and views of international courts and tribunals as well as scholars. This is an ongoing process, that should be allowed to evolve further. In our view, it is not advisable to attempt to develop an exhaustive list of crimes for which universal jurisdiction would apply.

Mr. Chair,

The application of the principle of universal jurisdiction rests in most states, where this principle has been incorporated, with the national prosecutorial offices. A discussion on the scope and application of universal jurisdiction will necessarily need to take into account practices and processes of these bodies. This includes prosecutorial discretion and the mechanisms securing the independence of prosecutorial offices. National experiences on these matters may provide important contributions to discussions on universal jurisdiction.

At the international level, the ICC plays an important role in securing accountability for the most serious crimes. The ICC provides an avenue for prosecution when states do not exercise jurisdiction. The primary responsibility nevertheless rests with states and the principle of universal jurisdiction may prove crucial in national efforts to end impunity for atrocity crimes.

In this respect, development of other bodies at the international level, such as the IIIM for Syria, assist both national and international jurisdictions in the fight against impunity. The IIIM is not provided with any prosecutorial capacities of its own, but may contribute to future processes before national jurisdictions applying the principle of universal jurisdiction, or those in international courts and tribunals. The contribution of IIIM and other possible future mechanisms may help shape the application of universal jurisdiction.

Mr. Chair,

Bringing perpetrators to justice is not only about ending impunity. It is also about strengthening respect for international law and providing justice for victims. Application of the principle of universal jurisdiction is an important tool for states and international courts and tribunals to ensure that the most serious crimes do not go unpunished.

The Nordic countries continue to follow this item with great interest, and look forward to working with you and other delegations in the context of the working group.

Thank you.