



**S L O V A K I A**

**STATEMENT**

**by**

**H. E. Mr. Michal MLYNÁR**

**Permanent Representative  
of the Slovak Republic to the United Nations**

**75<sup>th</sup> session of the United Nations General Assembly  
Sixth Committee**

**The scope and application of the principle of universal jurisdiction  
(item 87)**

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*(check against delivery)*

Mr. Chair,

At the outset, I wish to thank the Secretary-General for his report on the principle of universal jurisdiction.

Mr. Chair,

Universal jurisdiction has been established as a firm principle of international criminal law for decades. It had beforehand been applied over piracy, but it has gained more and more relevance recently with respect to other crimes of concern to the international community as a whole, namely crimes against humanity, war crimes or violations of Geneva Conventions, genocide or torture. In this respect, article 5 para. 2 of the Convention against Torture or article 7 para. 2 of the draft articles on prevention and punishment of crimes against humanity present strong evidence of its existence and acceptance. Complementing that, the report of the Secretary-General together with those from previous years contain ample evidence of the acceptance and application of the principle of universal jurisdiction in national legal systems and increasingly in jurisprudence, too.

The application of universal jurisdiction only complements well-established jurisdictional bases, territoriality and personality, thus closing the impunity gap in situations, where the alleged perpetrators have evaded territorial or personal jurisdictions for various reasons.

Mr. Chair,

We express our hope that the closer analysis of legal aspects of the universal jurisdiction would contribute to the alleviation of its sensitivities. Therefore, we believe that the elaboration of the topic *Universal criminal jurisdiction* by the International Law Commission, currently on its long-term programme of work, would contribute to objective legal deliberations of the topic, absolved from the political ramifications.

Mr. Chair,

In the absence of a truly universal framework for mutual legal assistance and of the universal acceptance of the Rome Statute of the International Criminal Court, universal jurisdiction remains the guarantee against impunity of alleged perpetrators of crimes under international law. The elaboration of a convention on the prevention and punishment of crimes against humanity, as recommended by the ILC, or the conclusion of an MLA Treaty would not strip universal jurisdiction of its relevance or narrow the scope of its application. These projects, the application of universal jurisdiction, as well as the strengthening of the Rome Statue system, would complement and reinforce each other by creating a strong legal framework aimed at ensuring accountability.

To conclude, Mr. Chairman,

The idea, whereby the gravest crimes under international law must not remain unpunished, no matter who the perpetrators are and where they may be, is, in our view, the main rationale for the application of universal jurisdiction and the biggest benefit thereof. We hope that this underlying idea will guide our deliberations during the present session.

I thank you.