

**Statement by Sweden on behalf of the Nordic countries  
(Denmark, Finland, Iceland, Norway and Sweden)**

at the

**General Assembly,  
Seventy-seventh Session**

**Sixth Committee**

**Agenda item 85:  
The scope and application of the principle of universal jurisdiction**

**United Nations, New York**

**11/12 October 2022**

*– CHECK AGAINST DELIVERY –*

**Mme/Mr Chair,**

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

We greatly appreciate the Sixth Committee's continued interest in this important topic. We thank the Secretary-General for his annual report, and the contributions received from states and observers. We look forward to a robust discussion in the Working Group during this seventy-seventh session.

The Nordic Countries recognise universal jurisdiction as a well-established principle of criminal law, both within national jurisdictions – as illustrated in the past reports of the Secretary-General – and at the international level.

**Mme/Mr Chair:**

The Nordic countries have all incorporated the principle of universal jurisdiction into our respective domestic legislation, by allowing domestic prosecution of the most serious crimes of international concern, regardless of where the conduct occurred and the nationality of the perpetrator.

We encourage states that have not yet done so to incorporate universal jurisdiction over serious international crimes into their domestic legislation, so as to ensure that there is no safe haven anywhere in the world for perpetrators of the most serious international crimes.

The primary responsibility for investigating and prosecuting serious international crimes rests with the state in which that conduct occurs, or the state of nationality of the accused. Those states close to where the crimes occurred, generally have the best access to evidence and witnesses, and the trial will also have more legitimacy and impact.

However, when states do not take legal action, the exercise of universal jurisdiction by other states can serve as an important tool to ensure accountability, provide redress for victims and limit impunity.

We note in this regard a steady increase in prosecutions in European domestic courts, against both state and non-state actors for, among others, international crimes in Syria, most of them based on universal jurisdiction.

Additionally, a number of countries have opened investigations under universal jurisdiction on the crimes committed in Ukraine following the Russian aggression.

**Mme/Mr Chair,**

In the context of the debate in the working group, some delegations have expressed concerns as to the potential abuse of the principle of universal jurisdiction.

The Nordic countries recognize that there may exist challenges to the effective exercise of the principle of universal jurisdiction but continue to urge caution against developing an exhaustive list of crimes for which universal jurisdiction would apply. Conditions attached to the application of universal jurisdiction to serious violations of international law must not unnecessarily restrict the possibility of bringing suspected offenders to justice.

**Mme/Mr Chair,**

Accountability for serious international crimes is a fundamental part of international law. We have consistently given our steadfast support to the International Criminal Court and to its integrity and independence. When it has jurisdiction, the ICC provides an avenue for prosecution when states concerned do not take legal action or are unable or unwilling to investigate and prosecute.

There are other mechanisms at the international level that play important roles in assisting judicial bodies at the international, regional, or national level that have or may have, jurisdiction in the future. These include the International, Impartial and Independent Mechanism (IIIM) for Syria, the Independent Investigative Mechanism for Myanmar (IIMM) and United Nations Investigative Team to Promote Accountability Against Da'esh/ISIL Crimes (UNITAD).

The Nordic countries will continue to follow, with great interest, the discussion on the principle of universal jurisdiction in the Sixth Committee and in other UN forums.

I thank you.