



S L O V A K I A

STATEMENT

by

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Sixth Committee**

**The scope and application of the principle of universal jurisdiction
(item 85)**

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(check against delivery)

Mr. Chair,

At the outset, I wish to thank all States that have submitted their written comments on the scope and application of universal jurisdiction this year and also the Secretary-General for compiling these comments in the comprehensive report.

Similarly to last year, the number of submissions made by the Government has increased, among which we commend Burkina Faso for submitting its comments for the first time, thus contributing to the total number of 82 States and 9 intergovernmental organizations that have ever sent their comments since the 64th session of the General Assembly. We specifically highlight the part related to the judicial practices of this year's and previous reports. These practices clearly demonstrate an increasing acceptance of universal jurisdiction in national legal systems and an enlarging relevant State practice. Taking that into account, Slovakia has two specific observations:

- 1) Having 13 reports of the Secretary-General at our disposal already, Slovakia believes that in addition to the annual report compiling comments from Governments, it would be beneficial to review all the reports prepared thus far, including the one forthcoming for next year, with a view to provide a clearer picture of convergences and divergences between the States. Such a review would, in our view, help to further inform our discussions.
- 2) Since the universal jurisdiction is *per se* a legal topic, Slovakia reiterates its view that a legal analysis by the International Law Commission as the best-equipped UN legal body would contribute greatly to the alleviation of its sensitivities. Considering also already mentioned growing State practice, we are convinced that the ILC should finally include the topic on its short-term program of work.

Mr. Chair,

Slovakia has continuously voiced its support for the application of universal jurisdiction over crimes of concern to the international community as a whole, namely, piracy, crimes against humanity, war crimes and violations of Geneva

Conventions, genocide or torture. From our perspective, universal jurisdiction provides a valuable jurisdictional basis for national to try the most serious crimes under international law pursuant to their respective domestic laws, which complements a well-established territorial and personal jurisdictional basis for prosecuting these crimes. In the absence of universal acceptance of the Rome Statute of the International Criminal Court, and a truly universal framework for mutual legal assistance, universal jurisdiction remains the guarantee of accountability for perpetrators of such crimes.

Following the full-scale Russian military aggression in Ukraine in February this year with a consequence of a vast number of atrocities committed by Russian troops, Slovakia has launched a domestic investigation into crimes against humanity and war crimes committed in Ukraine based on universal jurisdiction.

To conclude, Mr. Chair,

the gravest crimes under international law must not remain unpunished, no matter by whom or where perpetrated. We hope that this underlying idea and the biggest benefit of universal jurisdiction will guide our deliberations during the present session. Slovakia is prepared to engage constructively.

I thank you.