



Statement on behalf of the European Union and its Member States

By

Ms. Simona Popan

Counsellor

Delegation of the European Union to the United Nations

at the Sixth Committee

on the Agenda item 84

The scope and application of the principle of universal jurisdiction

United Nations

New York

12 October 2023

– CHECK AGAINST DELIVERY –

Thank you, Mr./Madam Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries North Macedonia*, Serbia*, Albania*, Ukraine, the Republic of Moldova and Bosnia and Herzegovina*, the potential candidate country Georgia, as well as Monaco and San Marino align themselves with this statement.

Mr./Madam Chair,

As strong supporters of accountability for core international crimes, the European Union and its Member States support all efforts towards strengthening the current international legal framework on the prevention, prosecution, and adjudication of the most serious crimes under international law. Perpetrators of such crimes cannot go unpunished and there cannot be impunity for these criminals anywhere in the world. In that regard, universal jurisdiction can be an important tool to promote international accountability.

Universal jurisdiction remains an exceptional ground of jurisdiction, which is restricted to the most serious crimes under international law. Whilst the primary responsibility to investigate a crime lies with the State with a direct link to the crime, universal jurisdiction permits a State to exercise jurisdiction over an individual act despite the absence of *any* specific link of nationality or territoriality between that State and the particular offence. Furthermore, the application of the principle of universal jurisdiction ought to be governed by transparent rules, which guarantee legal certainty and reasonable exercise of that jurisdiction.

Mr./Madam Chair,

The European Union and its Member States reiterate that preventive efforts should be at the centre of discussions on the scope and application of the principle of universal jurisdiction. Universal jurisdiction is but one of the tools for ensuring that the most serious crimes are prevented – and when they do occur – are investigated and, if appropriate, punished.

In order to support the national authorities of the Member States in their investigation and prosecution of the crime of genocide, war crimes and crimes against humanity as well as to close the impunity gap, the European Union has set up a European Network of focal points for the investigation and prosecution of these crimes, the ‘Genocide Network’. The Genocide

* *North Macedonia, Serbia, Albania and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.*

Network supports the coordination of the activities of national authorities across the European Union to ensure that persons responsible for core international crimes face justice.

To conclude, the European Union and its Member States reiterate their readiness to contribute further to discussions on this topic.

Thank you.