

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

at the

**General Assembly,
Seventy-eight Session**

Sixth Committee

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

United Nations, New York

12 October 2023

– CHECK AGAINST DELIVERY –

Mme/Mr Chair,

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

The Nordic countries welcome the opportunity to continue the dialogue on the scope and application of universal jurisdiction. We thank Member States and other stakeholders for their contributions to the Secretary-General's annual report on this topic, including on how universal jurisdiction is incorporated into national laws and on developments in domestic judicial practice.

Mme/Mr Chair:

The Nordic countries continue to urge caution against developing an exhaustive list of crimes for which universal jurisdiction would apply. We should not seek to attach conditions on the application of universal jurisdiction which may restrict the possibilities of bringing alleged perpetrators of atrocities to justice. Indeed, our dialogue on universal jurisdiction should focus on ensuring that no perpetrator of the most serious international crimes goes unpunished.

Mme/Mr Chair:

Accountability for serious international crimes is a fundamental part of international law. States have the primary responsibility for investigating and prosecuting international crimes within their jurisdiction. Yet, such crimes continue to be committed with impunity.

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. The rise in cases with universal jurisdiction as a legal basis over the last three decades shows the impact the exercise of universal jurisdiction can have in fighting impunity.

Furthermore, the exercise of universal jurisdiction contributes to implementing the principle of complementarity under the Rome Statute of the International Criminal Court (ICC).

When states concerned do not take legal action or are unable or unwilling to investigate and prosecute the ICC may provide an avenue for prosecution. In cases where the ICC does not have jurisdiction, including in the absence of a referral by the UN Security Council, universal jurisdiction as a legal basis can help close a gap in the existing international legal order concerning accountability by allowing third states to prosecute the most serious international crimes.

Mme/Mr Chair,

The Nordic countries have incorporated the principle of universal jurisdiction into their respective domestic legislation, 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, to ensure that perpetrators do not receive safe haven anywhere in the world.

Prosecutors in several countries have opened investigations into numerous cases against suspected offenders and there is a steady increase in prosecutions for international crimes in domestic courts, many of them based on universal jurisdiction.

The message is clear: those who commit atrocities cannot escape justice. They will eventually be held accountable.

I thank you.