CZECH REPUBLIC

Permanent Mission of the Czech Republic to the United Nations

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Statement on behalf of S3: Austria, Czech Republic, Slovakia

81st Session of the General Assembly

Sixth Committee

The Scope and Application of the Principle of Universal Jurisdiction

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One Dag Hammarskjöld Plaza, 48th floor
885 Second Avenue, New York, NY 10017
tel.: +1 (646) 981 4001, fax: +1 (646) 981 4099
www.mzv.cz/un.newyork

Madam Chair,

I have the honour to speak on behalf of the countries belonging to the Slavkov trilateral format (S3): Austria, Slovakia, and my own country Czechia. We also align ourselves with the statement delivered on behalf of the European Union and its Member States.

The proliferation of armed conflicts and the persistent impunity for the most serious international crimes remind us of the continued importance of strengthening accountability at both national and international levels. Our delegations have repeatedly stated that universal jurisdiction is an important instrument in the global fight against impunity.

It enables States to prosecute the most serious crimes under international law, irrespective of where they were committed or the nationality of the perpetrator or the victim. Its basis lies in the nature and gravity of the crimes concerned, rather than in a territorial or personal connection to the prosecuting State. Universal jurisdiction thus complements traditional bases of criminal jurisdiction and the work of international courts and tribunals, serving as a vital safeguard against impunity when other avenues of justice remain closed.

At the same time, its exercise must remain consistent with applicable international law, including relevant procedural safeguards and guarantees of due process. Clear legal frameworks are essential to ensuring the credibility and effectiveness of this important instrument of international criminal justice.

Madam Chair,

In this regard, we thank the Secretary-General for his latest report, as well as the Member States and observers that provided written contributions. We welcome the continued exchange of information on national legislation, judicial practice and relevant international treaties, which provides a valuable basis for further consideration of this topic.

The report highlights both the practical relevance of universal jurisdiction and the diversity of national approaches to its application. In particular, it reflects differing views on the categories of crimes falling within its scope, its relationship with other bases of extraterritorial jurisdiction, and the

conditions governing its exercise. Greater legal clarity on these issues would contribute to a more consistent understanding and application of the principle.

Madam Chair,

As the Slavkov States have consistently emphasized, the diversity of State practice and legal positions demonstrate the need for a more systematic examination of the definition, scope and limits of universal jurisdiction.

We therefore reiterate our firm belief that consideration of this topic would greatly benefit from being entrusted to the International Law Commission. Such a step would help to depoliticize the discussion and allow for a thorough examination of the issue on its strictly legal merits.

In line with its mandate of promoting the progressive development and codification of international law, the Commission is particularly well placed to undertake a comprehensive analysis of relevant international treaties, national legal rules and judicial practice, with a view to clarifying the existing legal framework and identifying possible ways forward.

In this context, we recall that the topic "Universal criminal jurisdiction" was included in the Commission's long-term programme of work in 2018. We are encouraged that the latest report of the Secretary-General also reflects support for entrusting the Commission with a comprehensive legal study of the topic. We believe that advancing this work would complement the ongoing deliberations of the Sixth Committee, facilitate greater convergence among Member States and strengthen cooperation between the two bodies.

Madam Chair,

To conclude, the Slavkov 3 countries reaffirm that universal jurisdiction is an important instrument for ensuring accountability for the most serious crimes under international law.

We remain convinced that the expertise of the International Law Commission could make a valuable contribution to advancing our common understanding of the principle and facilitating informed discussions in the Sixth Committee.

Our delegations stand ready to continue engaging constructively in these efforts.

We thank you for your attention.