PERMANENT MISSION OF HUNGARY
TO THE UNITED NATIONS
NEW YORK

United Nations General Assembly
Sixth Committee (78th session)

National Statement of Hungary

on

Agenda item 84: µThe scope and application of the principle of universal jurisdiction ¶

13 October 2023

Check against delivery!

Mr / Madam Chair,

Hungary aligns itself with the statement of the European Union, and wishes to make a few observations in its national capacity.

At the outset, my delegation thanks the Secretary General for preparing its report, and extends its appreciation to other States who had provided written contributions. Hungary, among other States, provided its comments for the second time in order to present the developments both in its national legislation, as well as its jurisprudence.

In this context, we highlight that there is a constantly and steadily evolving judicial practice revolving around the application of the principle of universal jurisdiction. The written submissions sent to the Secretary General, and numerous national statements delivered in the Sixth Committee and in the General Assembly last year contain a report on recently launched investigations, proceedings, and even final and binding judgments in which the case rested on the basis of universal jurisdiction. In Hungary, in 2020, the Budapest Metropolitan Court delivered a landmark judgment[1], in which held that the accused person – referred to as the 'hangman of Da'esh' – committed crimes against humanity against the civilian population in Syria. The Budapest Court of Appeal upheld this judgment in 2021, thereby sending a very clear message: perpetrators of the most heinous international crimes should remain unpunished, irrespective of their nationality or the country where they committed such crimes.

The growing practice of states also offers us an opportunity to observe the safeguards that surround the application of universal jurisdiction. Ideally, international crimes are tried by local courts in the country where they have been committed, as dictated by the principle of State sovereignty. Therefore, universal jurisdiction must always come into play as a last resort,

official with the greatest expertise who meticulously reviews every potential case. A failure to obtain this order of the Prosecutor General qualifies as a grave procedural error, and entails the dismissal of the case.

Mr / Madam Chair, let me conclude by referring to resolution A/77/111 adopted last year. In this resolution, the General Assembly requested the Secretary-General to submit a report at the seventy-ninth session reviewing all the submissions of Member States and relevant observers as well as views expressed in the debates of the Sixth Committee since the sixty-second session of the Assembly. On this basis, this report should identify possible convergences and divergences on the definition, scope and application of universal jurisdiction for the consideration of the Sixth Committee. We believe that this contribution of the Secretary General will be conducive to a structured discussion, and we stand ready to engage in this discussion in the upcoming sessions.

I thank you.