



of Sweden require the authorization of the Swedish government.<sup>1</sup>

Sweden exercises universal jurisdiction over crimes against international law (i.e. criminal jurisdiction based on the nature of the crime, irrespective of its location and of the nationality of the alleged

perpetrator).<sup>2</sup> Crimes against international law are defined as

infraction of a generally accepted principle or tenet relating to

international law.<sup>3</sup> The Swedish Criminal Code, 1962:739, Chapter 22, Section 1, provides that the Swedish Criminal Code applies to crimes against international law committed by Swedish citizens as well as to crimes against international

law committed by Swedish citizens abroad.

Universal jurisdiction over crimes against international law has been

exercised in addition to crimes against international law. Sweden also

exercises universal jurisdiction, *inter alia*, over the crime of genocide, by

applying the Swedish Criminal Code, Chapter 22, Section 1, to such crimes.

must fall within the scope of Sweden's national criminal law. Since 1986, Sweden is party to the Convention against Torture. An act of torture can constitute a crime under the Penal Code, most likely extremely gross assault. If the least severe punishment for a crime is imprisonment for four years or more, as in the case of extremely gross assault, Swedish courts have universal jurisdiction.

In 2002, the Swedish Commission on International Criminal Law presented a report concerning international crimes and Swedish jurisdiction.<sup>4</sup> The Commission was formed in order to review Swedish legislation on criminal responsibility for international crimes and jurisdiction over such crimes with respect to a Government resolution on 12 October 2000 concerning the Rome Statute. In its report, the Commission puts forward a proposal for a new Act on International genocide, crimes against humanity and war crimes. Sweden ratified the Rome Statute subsequent to its adoption in 1998 and the proposal of

<sup>1</sup> Chapter 2 Section 5.2 Swedish Criminal Code.

<sup>2</sup> Chapter 2 Section 3.6 Swedish Criminal Code. There is no double criminality requirement.

<sup>3</sup> Chapter 22 Section 1 Swedish Criminal Code.

<sup>4</sup> *International Crimes and Swedish Jurisdiction*, Swedish Government Official Report

the Commission is to be heard on the provisions of the Statute.

Sweden has to this date not had any case in its national courts concerning international crimes based on universal jurisdiction, i.e. where the alleged crime was committed outside Swedish territory and neither the alleged perpetrator or victim was Swedish.

The Permanent Mission of Sweden to the United Nations avails itself of

