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The scope and application of the principle of universal jurisdiction

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Report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolution [75/142](#), by which the Assembly requested the Secretary-General to prepare a report on the basis of information and observations received from Member States and relevant observers, as appropriate, on the scope and application of universal jurisdiction, including, where appropriate, information on the relevant applicable international treaties and their national legal rules and judicial practice.

* [A/76/150](#).



I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution [75/142](#), on the basis of comments and observations submitted by Governments and observers. It contains a summary of such comments and observations received since the issuance of the report of 2020 ([A/75/151](#)) and should be read together with that and prior reports ([A/65/181](#), [A/66/93](#) and [A/66/93/Add.1](#), [A/67/116](#), [A/68/113](#), [A/69/174](#), [A/70/125](#), [A/71/111](#), [A/72/112](#), [A/73/123](#) and [A/73/123/Add.1](#) and [A/74/144](#)).
2. In accordance with resolution [75/142](#), section II of the present report, together with tables 1 to 3, is focused on specific information regarding the scope and application of universal jurisdiction on the basis of relevant national legal rules, applicable international treaties and judicial practice. Information received from observers is provided in section III. Section IV contains a synopsis of issues raised by Governments for possible discussion.
3. Responses were received from Armenia, Brazil, Chile, Colombia, Costa Rica, Egypt, El Salvador, Finland, Germany, Kyrgyzstan, Lithuania, the Netherlands, Qatar, Saudi Arabia, Sweden and Switzerland.
4. The African Union, the Council of Europe, the International Maritime Organization (IMO) and the Organisation for the Prohibition of Chemical Weapons (OPCW) also submitted responses.
5. The complete submissions are available on the website of the Sixth Committee of the General Assembly (www.un.org/en/ga/sixth).

II. Scope and application of universal jurisdiction on the basis of relevant national legal rules, applicable international treaties and judicial practice: comments by Governments

A. Basic legal rules

1. Relevant national legal rules¹

Armenia

6. Armenia reported that the principle of universal jurisdiction is contained in article 15 of its Criminal Code, parts 3 and 4 (see sect. II.B below and tables 1 and 2 for further information).

Brazil

7. Brazil reported that it exercises its jurisdiction first and foremost on the basis of the territoriality principle.

8. In some cases, Brazil also admits the extraterritorial exercise of its jurisdiction, on the basis of the active nationality principle. Brazil may also exercise its jurisdiction on the basis of the passive personality principle when a crime is committed by a foreigner against a Brazilian abroad. Furthermore, on the basis of the protective principle, Brazil applies its laws to crimes committed outside its territory against the life or freedom of the President of Brazil and against the public administration.

¹ Table 1 contains a list of crimes concerning which universal jurisdiction is established by various codes, as mentioned in the comments by Governments. Table 2 contains specific legislation relevant to the subject, based on information submitted by Governments.

9. Brazil further reported that, under its Criminal Code, the principle of universal jurisdiction is accepted only in exceptional circumstances and under clear and objective conditions. According to article 7 (I) (d), Brazilian laws apply to the crime of genocide even if committed abroad, as long as the perpetrator is a Brazilian national or resides in Brazilian territory. Under article 7 (II) (b), Brazil may also exercise its jurisdiction over certain crimes, such as torture, even when they are perpetrated abroad, owing to obligations under international treaties to which Brazil is a party, subject to conditions (see sect. II.B below). Brazil further reported that Law 9455/1997, which criminalizes torture, applies to crimes committed outside Brazilian territory, as long as the victim is a Brazilian national or the perpetrator is under Brazilian jurisdiction. This law provides for the principle of “mitigated universal jurisdiction” (see also sect. II.A.3 below).

Colombia²

10. Colombia reiterated that there is no explicit provision in Colombian law that reflects the principle of universal jurisdiction, while also recalling previous comments regarding the *ne bis in idem* principle, in articles 9 and 93 of its Constitution and article 16 of its Criminal Code.

Costa Rica

11. Costa Rica reported that Act No. 8272, as amended, allows for the application of universal jurisdiction in relation to, inter alia, piracy, war crimes, genocide and crimes against humanity (see tables 1 and 2 below). The Act was amended in 2019 to include offences against the treasury, as well as administrative and transnational bribery, as acts or conduct for which persons can be prosecuted on the basis of universal jurisdiction.

El Salvador³

12. El Salvador reiterated that, under article 10 of its Criminal Code, universal jurisdiction is regulated as an independent principle (see sect. II.B below).

Finland⁴

13. Finland reiterated comments made previously regarding the provisions on universal jurisdiction contained in section 7, chapter 1, of its Criminal Code and the decree on its application.

Germany⁵

14. Germany reiterated comments made previously regarding its Code of Crimes against International Law.

Kyrgyzstan

15. Kyrgyzstan reported that universal jurisdiction as a legal basis for the criminal prosecution of persons who have committed grave international crimes is provided for in its legislation. Chapters 52 and 53 of section II of its Criminal Code provide

² For previous comments submitted by Colombia, see [A/66/93](#) and [A/68/113](#).

³ For previous comments submitted by El Salvador, see [A/65/181](#), [A/66/93](#), [A/67/116](#), [A/69/174](#), [A/72/112](#), [A/73/123](#), [A/74/144](#) and [A/75/151](#).

⁴ For previous comments submitted by Finland, see [A/65/181](#), [A/67/116](#), [A/71/111](#), [A/72/112](#) and [A/74/144](#).

⁵ For previous comments submitted by Germany, see [A/65/181](#), [A/72/112](#) and [A/74/144](#).

for responsibility for a number of crimes, such as crimes against international law and genocide (see also tables 1 and 2 below).

Lithuania⁶

16. Lithuania reiterated comments made previously regarding article 7 of its Criminal Code, while clarifying that jurisdictional matters are addressed in articles 4 to 8 (see tables 1 and 2 below). For a crime committed in Lithuania, the question of the liability of the person could be decided by taking into account the territorial principle (art. 4), while for a crime committed by a Lithuanian national or a permanent resident abroad, jurisdiction would be based on the principle of nationality (art. 5).

The Netherlands⁷

17. The Netherlands reiterated comments made previously on the International Crimes Act of 2003 and the Criminal Code with respect to the crime of piracy committed on the high seas. The Act governs crimes such as genocide, war crimes, torture and crimes against humanity. According to article 2, without prejudice to relevant provisions of the Criminal Code and the Code of Military Law, Dutch criminal law applies to: (a) anyone who commits any of the crimes defined in the Act outside the Netherlands, if the suspect is present in the Netherlands; (b) anyone who commits any of the crimes defined in the Act outside the Netherlands, if the crime is committed against a Dutch national; and (c) a Dutch national who commits any of the crimes defined in the Act outside the Netherlands.

Qatar⁸

18. Qatar reiterated the examples of its national law related to universal jurisdiction with respect to its Criminal Code (Act No. 11 (2004)) and the Combating Human Trafficking Act (Act No. 15 (2011)). Qatar added as examples the Counter-Terrorism Act (Act No. 27 (2019)) and the Anti-Money-Laundering and Combating the Financing of Terrorism Act (Act No. 20 (2019)).

Sweden

19. Sweden reported that chapter 2, section 3, of its Criminal Code is the basis for universal jurisdiction in Swedish law. It provides that Swedish law is applicable to certain crimes committed outside Swedish territory and that prosecution may take place in Swedish courts.

20. Offences committed abroad are judged under Swedish law and in a Swedish court if:

(a) The offence is hijacking, shipping or aircraft sabotage, airport sabotage, counterfeiting currency, attempting to commit such offences, unlawful handling of chemical weapons, unlawful handling of mines, making an untrue or careless statement before an international court, a terrorist offence under section 2 of the Act on Criminal Responsibility for Terrorist Offences (2003:148), attempting, preparing or conspiring to commit such an offence, an offence referred to in section 5 of that Act, an offence under the Act on Criminal Responsibility for Genocide, Crimes against Humanity and War Crimes (2014:406) and inciting crime consisting of an immediate and public call to commit genocide;

⁶ For previous comments submitted by Lithuania, see [A/66/93](#).

⁷ For previous comments submitted by the Netherlands, see [A/65/181](#).

⁸ For previous comments submitted by Qatar, see [A/66/93](#), [A/73/123](#) and [A/74/144](#).

(b) The offence is directed at the administration of justice by the International Criminal Court;

(c) The least severe penalty prescribed for the offence in Swedish law is imprisonment for four years or more.

Switzerland⁹

21. Switzerland reiterated comments previously made regarding its Criminal Code.

2. Applicable international treaties

22. On the basis of information received from Governments, a list of the treaties referred to by Governments is provided in table 3 below.

3. Judicial practice

Brazil

23. While universal jurisdiction has never been applied as such by Brazilian tribunals, the Supreme Court of Justice, in the judgment of *habeas corpus* 95.595/2018, recognized that the principle, together with the nationality and protective principles, may justify the extraterritorial exercise of Brazilian criminal jurisdiction. The Court also recognized the importance of universal jurisdiction in extradition cases (595/1993, 658/1996, 1151/2011, 1275/2012 and 1300/2013), although it did not apply it in these cases. Moreover, the Court stated that the principle is an expression of international solidarity in combating crimes (595/1993) and that the presence of the alleged perpetrator in the territory of the State is a precondition for the exercise of jurisdiction (1300/2013).

24. In its filing in the *Herzog* case before the Inter-American Court of Human Rights, Brazil submitted that Law 9455/1997 provides for the principle of “mitigated universal jurisdiction”.

Colombia¹⁰

25. Colombia reiterated previous comments regarding the jurisprudence of the *ne bis in idem* principle and recalled judgments C-979/2005 and C-1189/2000. Colombia noted that its Constitutional Court and Supreme Court have recognized the principle of universal jurisdiction as a treaty obligation, encapsulated in international instruments to which Colombia is a party that provide for the exercise of the principle. The Constitutional Court, in judgment C-1189/2000, stated that the customary nature of the principle has not been generally accepted (see sect. II.B below).

26. Colombia noted that the Supreme Court, on the basis of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, has stated that the State has an obligation to prosecute, extradite or refer to a competent universal court a person accused of drug trafficking (see sect. II.B below).

27. In judgment C-007/2008, the Constitutional Court ruled that the principle relates to obligations under international human rights law, international humanitarian law and international criminal law, which allow for the punishment of those responsible for the most serious human rights violations and grave breaches of international humanitarian law, owing to their transcendental and potentially harmful nature. The prosecution of such offences transcends national borders, and State sovereignty is mitigated to prevent impunity.

⁹ For previous comments submitted by Switzerland, see [A/65/181](#), [A/73/123](#) and [A/75/151](#).

¹⁰ For previous comments submitted by Colombia, see [A/66/93](#) and [A/68/113](#).

Costa Rica

28. The Supreme Court of Costa Rica, in judgment No. 2019-012242 of 5 July 2019, ruled that:

The protection afforded by human rights instruments is not limited to conventions and treaties formally ratified by Costa Rica, or to conventions, treaties or agreements formally signed and approved in accordance with constitutional procedure. Rather, that protection extends to any other instrument that provides for the protection of human rights, even if it has not been formally signed or approved in accordance with constitutional procedure.

29. Costa Rica highlighted that the special protection of human rights is relevant to the topic of universal jurisdiction insofar as the latter applies to grave offences against international law; consequently, even if a treaty or a convention has not been ratified, it may be applied in national courts if the offence in question concerns human rights.

El Salvador¹¹

30. El Salvador reiterated its previous comments regarding judgment No. 44 2013/145-2013 of 13 July 2016, decision No. 24-S-2016 of 24 August 2016, judgment No. 26-S-2016 of 24 August 2016 and judgment No. 558-2010 of 11 November 2016 concerning the subsidiarity of universal jurisdiction and the non-applicability of amnesty to war crimes and crimes against humanity committed during the armed conflict in El Salvador.

Finland

31. Finland reported that Pirkanmaa District Court is currently hearing a case on war crimes, aggravated crimes against humanity and murders committed outside Finland.

Germany¹²

32. Germany reported that specialized units have been created within the Federal Criminal Police Office and the Office of the Federal Public Prosecutor General to investigate international crimes. The Federal Public Prosecutor General has been conducting structural investigations concerning crimes against humanity and war crimes committed in Iraq and the Syrian Arab Republic.

33. Germany provided the following information relating to cases:

(a) A trial concerning crimes against humanity commenced on 23 April 2020 against two former members of the Syrian intelligence services;

(b) A German national is currently being tried for her alleged involvement in war crimes while she was a member of Da'esh, and a foreign national has been extradited to Germany to face charges of genocide against the Yazidi community in Iraq;

(c) Further trials and convictions concern persons associated with Da'esh in Iraq and the Syrian Arab Republic who have returned to Germany for war crimes and other offences. German courts have found that the occupation of an apartment from which victims of Da'esh had fled can constitute the war crime of appropriation of property. Moreover, a mother was found to have committed the war crime of conscripting or enlisting children by handing her own child to a Da'esh military

¹¹ For previous comments submitted by El Salvador, see [A/65/181](#), [A/66/93](#), [A/67/116](#), [A/69/174](#), [A/72/112](#), [A/73/123](#), [A/74/144](#) and [A/75/151](#).

¹² For previous comments submitted by Germany, see [A/65/181](#), [A/72/112](#) and [A/74/144](#).

training camp. German courts have also sentenced women who had fought with Da'esh in the Syrian Arab Republic for national crimes such as membership of a terrorist organization and violation of the duty of care towards their children, as well as crimes under international law such as enslavement of a Yazidi woman ("cumulative prosecution");

(d) On 28 January 2021, the Federal Court of Justice established for the first time that an official of another State is not entitled to functional immunity (immunity *ratione materiae*) with regard to acts carried out within the scope of their duties;

(e) On 24 February 2021, Koblenz Higher Regional Court convicted Syrian national Eyad A. for complicity in crimes against humanity and sentenced him to four years and six months in prison.

34. German prosecutors are currently conducting over 100 investigations into international crimes.

Kyrgyzstan

35. Kyrgyzstan reported that, according to data for 2019 and 2020, its courts have considered cases regarding mercenarism, the production, purchase, transfer, accumulation, use or proliferation of weapons of mass destruction, acts of terrorism and financing of terrorist activities.

The Netherlands

36. The Netherlands reported that special teams within its national police and prosecution services have undertaken highly complex investigations on core international crimes, which have led to a significant number of convictions and important steps in the development of case law.¹³ Prosecutions based on article 381 of the Criminal Code, related to piracy, have also led to a number of convictions since 2010.

Switzerland¹⁴

37. Switzerland reiterated its comments regarding cases relating to crimes against humanity and war crimes before Swiss courts and reported that the prosecution of a Liberian national for war crimes had proceeded. Switzerland reiterated the key role that international legal cooperation plays in the prosecution of the most serious international crimes.

B. Conditions, restrictions or limitations to the exercise of jurisdiction

Constitutional and national legal framework

Armenia

38. Armenia submitted that, under parts 3 and 4 of article 15 of its Criminal Code, the principle of universal jurisdiction applies when the following cumulative conditions are present: (a) the person having committed the criminal offence is a foreign national or a stateless person not permanently residing in Armenia; (b) the offence has been committed outside its territory; (c) the crime is provided for by international treaties to which Armenia is a party; (d) the person having committed the criminal offence has not been subject to criminal liability in another State; and

¹³ An overview of these cases can be found at www.warcrimes.nl.

¹⁴ For previous comments by Switzerland, see [A/65/181](#), [A/73/123](#) and [A/75/151](#).

(e) the person having committed the criminal offence is in Armenia for some reason and has been caught and is subject to criminal liability in the territory of Armenia.

Brazil

39. Brazil reported that, under article 7 (II) (b) of its Criminal Code (see sect. I.A.1 above), six conditions need to be met for Brazil to exercise its jurisdiction over crimes that it is obliged to repress under international treaties: (a) the alleged perpetrator must be in Brazilian territory; (b) the conduct must also be considered a crime under the laws of the State in which it was performed; (c) the accused must not have been acquitted abroad or have served a sentence outside Brazil; (d) Brazilian law must allow for extradition for the crime; (e) the accused must not have been pardoned abroad; and (f) the claim must not have been filed after the statutory limitation period according to the most favourable law.

40. Brazil further submitted that it does not exercise jurisdiction *in absentia* and that it could only exercise universal jurisdiction over serious crimes objectively recognized in international treaties.

Colombia¹⁵

41. Colombia reiterated previous comments and underlined that its Constitutional Court, in judgment C-1189/2000, affirmed that the principle applies in Colombia only when it is expressly enshrined in a treaty, and that persons who are subject to universal jurisdiction, by virtue of the relevant treaty, must be in the country even if the act was not committed there.

El Salvador¹⁶

42. El Salvador reiterated comments made previously that the application of the principle of universal jurisdiction is included in article 10 of the Criminal Code.

43. El Salvador also reiterated that, in judgment No. 24-S-2016, its Supreme Court stated that the criterion of subsidiarity applies to the principle of universal jurisdiction, which is to be exercised when, in the State in which the crimes occurred, there is an obstacle to, or there is no specific interest in, the prosecution of those crimes.

Germany¹⁷

44. Germany reiterated previous comments regarding trials *in absentia* and stated that there are no material conditions to the applicability of universal jurisdiction for genocide, crimes against humanity and war crimes.

45. Germany noted that, according to section 1 of the Code of Crimes against International Law, the Code applies to crimes committed outside Germany, regardless of the nationality of the victim or perpetrator or any other connections to Germany. German law does not provide for the criminal liability of companies or other legal persons. Germany also noted the need to take into account questions of immunity under international law.

¹⁵ For previous comments submitted by Colombia, see [A/66/93](#) and [A/68/113](#).

¹⁶ For previous comments submitted by El Salvador, see [A/75/151](#).

¹⁷ For previous comments submitted by Germany, see [A/65/181](#), [A/72/112](#) and [A/74/144](#).

Lithuania

46. Lithuania explained that a perpetrator may be prosecuted *in absentia* for crimes against humanity on the basis of the principle of universal jurisdiction, pursuant to its Code of Criminal Procedure.

The Netherlands¹⁸

47. The Netherlands reiterated that an investigation is subject to the presence of the suspect in its territory unless the victim(s) or alleged perpetrator(s) are Dutch nationals, underlining that the International Crimes Act does not provide for full, unlimited jurisdiction for international crimes, under article 2 (see sect. II.A.1 above). It was clarified that when Dutch authorities are competent to investigate universal jurisdiction cases owing to the presence of the suspect in the territory of the Netherlands, the decision to investigate and prosecute lies with the public prosecutor's office.

48. Under Dutch law, the crime being investigated or prosecuted in the Netherlands does not also need to be criminalized in the State of nationality of the suspect or in the State in which the crime was committed.

Sweden¹⁹

49. Sweden reiterated that a prosecution case for an offence committed abroad may only be brought following authorization by the Government or the public authority designated by the Government. However, a prosecution case may be brought without such authorization if the offence consists of making an untrue or careless statement before an international court.

Switzerland²⁰

50. Switzerland reiterated that the Swiss legal order subscribes to a "conditional" or "limited" concept of the principle of universal jurisdiction.

III. Scope and application of universal jurisdiction: comments by observers

African Union²¹

51. The African Union reiterated its previous comments, stating that the principle of universal jurisdiction is a legal tool available to States in the fight against impunity for crimes such as war crimes, crimes against humanity and genocide, in line with article 4 (h) of the Constitutive Act of the African Union. It re-emphasized two aspects of the scope and application of the principle: priority of the territorial State and complementarity and immunity of sitting Heads of State and State officials. It considered that the process of defining the scope and application of the principle should be State-led and discussions should remain in the Sixth Committee, rather than being referred to the International Law Commission.

¹⁸ For previous comments submitted by the Netherlands, see [A/65/181](#).

¹⁹ For previous comments submitted by Sweden, see [A/66/93](#), [A/67/116](#), [A/68/113](#) and [A/69/174](#).

²⁰ For previous comments submitted by Switzerland, see [A/65/181](#) and [A/73/123](#).

²¹ For previous comments submitted by the African Union, see [A/66/93](#), [A/68/113](#) and [A/71/111](#).

Council of Europe²²

52. The Council of Europe referred to its recommendation No. 2197 (2021) on the protection of victims of arbitrary displacement, by which the Parliamentary Assembly of the Council of Europe recommended that the Committee of Ministers prepare guidelines for member States on the universal jurisdiction of national courts for arbitrary displacement and other war crimes or crimes against humanity.

53. On the case law of the European Court of Human Rights, it was reported that the Grand Chamber had pronounced its judgment in the case of *Güzelyurtlu and Others v. Cyprus and Turkey*.²³ The Court held that:

If the investigative or judicial authorities of a contracting State institute their own criminal investigation or proceedings concerning a death which has occurred outside the jurisdiction of that State, by virtue of their domestic law (e.g. under provisions on universal jurisdiction ...), the institution of that investigation or those proceedings is sufficient to establish a jurisdictional link for the purposes of article 1 between that State and the victim's relatives who later bring proceedings before the Court.

54. However, in *Hanan v. Germany*,²⁴ without calling into question the general principles set out in the *Güzelyurtlu and Others* judgment, the European Court of Human Rights showed itself also mindful of the concerns raised by the respondent Government and the intervening Governments. The Court held that establishing jurisdiction merely by the fact of instituting a national criminal investigation into a death that occurred extraterritorially, without any additional requirements, would excessively broaden the scope of application of the Convention. In the joint partly dissenting opinion²⁵ appended to the *Hanan* judgment, reference was further made to the possibility that deducing the jurisdictional link in the meaning of article 1 of the Convention for the Protection of Human Rights and Fundamental Freedoms from the existence of a national law obligation to institute criminal proceedings (including in application of the principle of universal jurisdiction) might discourage States from adopting such an obligation and risk undermining the engagement of States parties with the International Criminal Court.

International Maritime Organization²⁶

55. IMO reiterated comments made previously regarding the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the 2005 Protocol thereto, and the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf and the 2005 Protocol thereto.

56. IMO clarified that the jurisdiction under article 6 (4) of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the 2005 Protocol thereto reflects the principle of universal jurisdiction since it can be

²² For previous comments submitted by the Council of Europe, see [A/66/93](#), [A/68/113](#), [A/69/174](#) and [A/72/112](#).

²³ European Court of Human Rights, *Güzelyurtlu and Others v. Cyprus and Turkey*, No. 36925/07, judgment of 29 January 2019, para. 188.

²⁴ European Court of Human Rights, *Hanan v. Germany*, No. 4871, judgment of 16 February 2021, paras. 132 and 135.

²⁵ European Court of Human Rights, *Hanan v. Germany*, joint partly dissenting opinion of Judges Grozey, Ranzoni and Eicke, para. 23.

²⁶ For previous comments submitted by the International Maritime Organization, see [A/66/93](#), [A/69/174](#), [A/70/125](#) and [A/74/144](#).

exercised solely on the basis of the offender's presence in the territory of a State party regardless of the lack of any other connection to the offence.

57. IMO reported that, as at 19 March 2021, 166 States were parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and 51 States were parties to the 2005 Protocol thereto, and that 156 States were parties to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf and 45 States were parties to the 2005 Protocol thereto.

Organisation for the Prohibition of Chemical Weapons²⁷

58. OPCW reiterated comments made previously regarding the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, while highlighting that, as at 29 April 2021, the number of States parties that had adopted implementing legislation to criminalize activities prohibited under the Convention was 145 and that the number of States parties that had included an extraterritorial provision in their legislation was 124.

59. OPCW also noted that the use of chemical weapons constitutes a war crime in both international and non-international armed conflicts, specifically the use of poison or poisoned weapons and the use of asphyxiating, poisonous or other gases. There is a comprehensive and universal prohibition on the use of chemical weapons in both customary and conventional international law. Under customary international humanitarian law, the use of chemical weapons is prohibited for all parties to a conflict, whether of an international or a non-international character. The prohibition is also reflected in the legislation of many States, in the declarations and practice of States, in international and national case law and in military manuals.

IV. Nature of the issue for discussion: specific comments by States

Armenia

60. Armenia submitted that the application of the universal principle of the operation of criminal law is conditioned by the need to fight against international crimes and certain crimes of an international nature.

Brazil

61. Brazil stated that the exercise of jurisdiction irrespective of a link between the crime and the prosecuting State is an exception to the more consolidated principles of territoriality and nationality. Hence, universal jurisdiction should only be applied in a responsible and judicious manner, on the basis of clear and objective parameters, in order to prevent its abuse and misuse. First, the exercise of jurisdiction should be limited to the most serious crimes, prescribed in international treaties and available only to States parties to the relevant treaty. Second, the principle should be secondary to more direct connecting factors, such as territoriality and nationality. Third, the alleged perpetrator should always be in the territory of the State wishing to exercise its jurisdiction. Lastly, universal jurisdiction should always respect the *ne bis in idem* principle.

²⁷ For previous comments submitted by the Organisation for the Prohibition of Chemical Weapons, see [A/66/93](#), [A/67/116](#) and [A/69/174](#).

Chile

62. Chile stated that the principle of universal jurisdiction gives a State jurisdiction to try and punish the perpetrator of a crime, wherever the crime was committed and whatever the nationality of the perpetrator or the victim. Universal jurisdiction is an exception to the general rule of the territoriality principle and a measure of last resort to prevent impunity. The courts of the territorial State have primary jurisdiction; the jurisdiction of a State other than the territorial State should be secondary and exercised only if the latter is unwilling or unable to investigate or prosecute the crime in question. When exercising universal jurisdiction, the forum State must act in accordance with a normative framework that observes procedural guarantees for the defendant, due process and respect for human rights. The State's power to establish its jurisdiction and prosecute an individual must derive from an appropriate means of international law, usually a treaty. Universal jurisdiction must be exercised in the context of general international law, in good faith and with respect for the principles of the legal equality of States, sovereignty, non-intervention and cooperation. Cooperation is a crucial element, as both States must work in coordination to achieve the goal of preventing impunity.

63. Chile underlined that universal jurisdiction is not absolute and cannot be exercised in the absence of the alleged perpetrator. The alleged perpetrator must be present in the territory of the State seeking to exercise universal jurisdiction when the legal proceedings against the perpetrator are initiated.

64. Universal jurisdiction is applicable only in criminal matters in relation to serious crimes under international law, in particular crimes against humanity, war crimes and genocide.

65. In the view of Chile, extraterritorial jurisdiction and universal jurisdiction are distinct concepts, as universal jurisdiction is always extraterritorial, but extraterritorial jurisdiction is not always universal. Moreover, universal jurisdiction is a complex and sensitive issue and, in order for it to be exercised, the State invoking it must engage in a careful consideration and justification exercise to ensure that it does not undermine the principle of legal equality among States.

Colombia

66. Colombia submitted that, in international criminal law, the principle of universal jurisdiction is an instrument for preventing impunity for crimes committed during armed conflicts. It is based on the obligation of States to investigate, punish and prosecute crimes under international law, regardless of where they were committed or the nationality of the perpetrator. It allows any international court to prosecute cases, provided that the conduct in question affects property and interests protected by the international community. Lastly, universal jurisdiction of States should not be confused with the jurisdiction of the International Criminal Court.

Costa Rica

67. In the view of Costa Rica, there is no single definition of the concept of universal jurisdiction. The concept has been understood as an exception in international law, since by rule States exercise national jurisdiction as part of their sovereignty, and therefore have the power or authority to prosecute persons for certain acts established by law as illicit. Universal jurisdiction does not require double criminality and its exercise does not depend on whether the accused was found to be in the national territory and was not extradited. It is thus an important tool in the fight against impunity.

Egypt

68. According to Egypt, the principle complements the jurisdiction of competent national courts, which have primary jurisdiction over crimes occurring within the respective territories of States.

69. Egypt also stated that universal jurisdiction is restricted to instances in which the State of primary jurisdiction is unwilling or unable to exercise jurisdiction. Application of the principle should be conducted in an independent, impartial and non-political manner, without abuse. It should also be consistent with principles of international law and customary international law, including protection of State sovereignty and non-intervention in internal affairs, as well as the rules governing sovereign and diplomatic immunity.

El Salvador²⁸

70. El Salvador reiterated that universal jurisdiction plays a significant role in combating impunity for the most serious crimes, which are crimes against humanity. It is in the national and international public interest to prevent and investigate such crimes, identify the perpetrators and punish them under the law, and to ensure that victims are able to have access to justice, exercise their right to truth and receive full reparation.

Germany

71. Germany submitted that it has found universal jurisdiction to be an effective and proportionate tool for pursuing accountability for the most serious crimes under international law. According to Germany, national jurisdictions can play an important part in achieving accountability, although it would be preferable for the Security Council to give the International Criminal Court more scope for trying the most serious crimes under international law.

Qatar²⁹

72. Qatar reiterated that the principle of universal jurisdiction is a mechanism of the rule of law for ensuring equitable justice and combating impunity for serious crimes and violations of international humanitarian law and human rights. Qatar also noted that adopting the principle of universal jurisdiction is welcomed by victims, international human rights organizations and the international community.

Switzerland³⁰

73. In the view of Switzerland, universal jurisdiction is one of the best ways to fight impunity.

74. Switzerland reiterated its call for the International Law Commission to be involved in the consideration of the issue. It considered that the Commission's work could be a solid basis for discussion within the Sixth Committee and the working group on the topic.

²⁸ For previous comments submitted by El Salvador, see [A/73/123](#), [A/74/144](#) and [A/75/151](#).

²⁹ For previous comments submitted by Qatar, see [A/66/93](#), [A/73/123](#) and [A/74/144](#).

³⁰ For previous comments submitted by Switzerland, see [A/65/181](#) and [A/73/123](#).

Table 1
List of crimes mentioned in the comments by Governments concerning which universal jurisdiction (including other bases of jurisdiction) is established by their codes

<i>Category</i>	<i>Crime</i>	<i>State</i>
Genocide and related offences	Genocide	Armenia, Brazil, Chile, Colombia, Costa Rica, Germany, Kyrgyzstan, Netherlands, Sweden
	Direct and public incitement to genocide	Armenia, Sweden
	Denying, mitigating, approving or justifying genocide and other crimes against the peace and safety of humanity	Armenia
Crimes against humanity and related offences	Crimes against humanity	Chile, Costa Rica, El Salvador, Germany, Lithuania, Netherlands, Sweden, Switzerland
	Aggravated crimes against humanity	Finland
War crimes and related offences	War crimes	Chile, Costa Rica, Finland, Germany, Lithuania, Netherlands, Saudi Arabia, Sweden, Switzerland
	Offences against international humanitarian law	Costa Rica
	Grave breaches of international humanitarian law	Colombia
	Grave violations of the rules of international humanitarian law during armed conflict	Armenia
	Public calls for aggressive war	Armenia
	Employing prohibited means and methods of warfare	Armenia
	Failure to act or issuing a criminal order during armed conflict	Armenia
	Mercenarism	Armenia, Kyrgyzstan
	Attacking persons or an establishment enjoying international protection	Armenia
	Illegal use of distinctive emblems protected by international treaties	Armenia, Kyrgyzstan

<i>Category</i>	<i>Crime</i>	<i>State</i>
	Appropriation of property	Germany
	Conscripting or enlisting children	Germany
	Propaganda of war	Kyrgyzstan
	Violation of the laws and customs of warfare	Kyrgyzstan
	Violence against residents in areas of hostilities	Kyrgyzstan
	Looting	Kyrgyzstan
	Criminal violations of international humanitarian law	Kyrgyzstan
	Criminal inaction or giving a criminal order during hostilities	Kyrgyzstan
Crimes against peace and humanity		Kyrgyzstan
Serious human rights violations		Colombia
Offences against human rights		Costa Rica
Torture		Armenia, Brazil, Colombia, Germany, Netherlands, Saudi Arabia
Aggression		Netherlands
Piracy and related offences	Piracy	Armenia, Costa Rica, Lithuania, Netherlands
Apartheid		Kyrgyzstan
Terrorism and related offences	Terrorism	Armenia, Colombia, Costa Rica, Saudi Arabia, Sweden
	Financing of terrorism	Armenia, Costa Rica, Kyrgyzstan, Qatar, Saudi Arabia
	Public calls for terrorism, terrorism financing and international terrorism, and publicly justifying or propagating the commission of these criminal offences	Armenia
	Terrorist act against a representative of a foreign State or an international organization	Armenia
	International terrorism	Armenia
	Membership of a terrorist organization	Germany

<i>Category</i>	<i>Crime</i>	<i>State</i>
	Acts of terrorism	Kyrgyzstan, Lithuania
	Crimes related to terrorist activity	Lithuania
	Terrorist bombing	Saudi Arabia
	Nuclear terrorism	Saudi Arabia
Enforced disappearances		Colombia, Kyrgyzstan, Netherlands
Slavery-related offences	Participation in trafficking in slaves, women or children	Costa Rica
	Enslavement	Germany
Murder		Finland
Offences related to transportation and communication	Hijacking or capturing an aircraft, vessel or railway rolling stock	Armenia
	Accessing (penetrating into) a computer information system without authorization	Armenia
	Modification of computer information	Armenia
	Computer sabotage	Armenia
	Unlawfully taking possession of computer information	Armenia
	Preparation or sale of special means for unlawfully accessing (penetrating into) computer information	Armenia
	Development, use and dissemination of hazardous programmes	Armenia
	Violating the rules of operation of a computer system or network	Armenia
	Hijacking	Sweden
	Shipping or aircraft sabotage	Sweden
	Airport sabotage	Sweden
Trafficking in persons and related offences	Participation in trafficking in slaves, women or children	Costa Rica
	Trafficking in human beings	Lithuania, Qatar
	Migrant smuggling	

<i>Category</i>	<i>Crime</i>	<i>State</i>
	Illegal circulation of human organs and/or tissues	Armenia
	Trafficking in or exploitation of human beings	Armenia
	Trafficking in or exploitation of a child or a person deprived of the possibility of realizing the nature and significance of his or her act or of directing it as a result of mental disorder	Armenia
	Organization of illegal migration	Armenia
	Purchase or sale of a child	Lithuania
Drug-related offences	Illegal trafficking in narcotic drugs, psychotropic (psychoactive) substances and precursors thereof for the purpose of sale or preparation or the illegal sale thereof	Armenia
	Illegal trafficking in narcotic drugs or psychotropic (psychoactive) substances without the purpose of sale	Armenia
	Unlawful taking or extortion of narcotic drugs or psychotropic (psychoactive) substances	Armenia
	Illegal trafficking in drastic or toxic substances for the purpose of sale or the illegal sale thereof	Armenia
	Drug trafficking	Colombia
	Trafficking in narcotics	Costa Rica
	Crimes related to possession of narcotic or psychotropic, toxic or highly active substances	Lithuania
Unlawful handling of nuclear or radioactive materials or other sources of ionizing radiation		Lithuania
Fiscal offences	Money-laundering	Armenia, Qatar
	Commercial bribery	Armenia
	Forgery of coins, securities, banknotes and other bearer instruments	Costa Rica

<i>Category</i>	<i>Crime</i>	<i>State</i>
	Production, storage or handling of counterfeit currency or securities	Lithuania
	Counterfeiting currency	Sweden
	Property laundering	Lithuania
Offences related to protected persons	Attacks on protected persons or institutions	Kyrgyzstan
Offences related to international courts and tribunals	Making an untrue or careless statement before an international court	Sweden
	Offences directed at the administration of justice by the International Criminal Court	Sweden
Offences related to arms and weapons	Illegal acquisition, sale, storage, transportation or carrying of weapons, ammunition, explosive substances or explosive devices	Armenia
	Illegal preparation of weapons	Armenia
	Unlawful taking or extortion of weapons, ammunition, explosive substances or explosive devices	Armenia
	Proliferation of weapons of mass destruction	Armenia
	Smuggling of weapons, ammunition, explosives or related materials	Costa Rica
	Production, purchase, transfer, accumulation, use or proliferation of weapons of mass destruction	Kyrgyzstan
	Unlawful handling of chemical weapons	Sweden
	Unlawful handling of mines	Sweden
Hostage-taking		Armenia, Saudi Arabia
Violation of the duty of care towards one's children		Germany
Sexual violence offences	Rape of a minor	Armenia
	Violent actions of a sexual nature against a minor	Armenia

<i>Category</i>	<i>Crime</i>	<i>State</i>
	Compelling a person below the age of 16 to engage in sexual intercourse or actions of a sexual nature	Armenia
	Engaging in sexual intercourse with a person below the age of 16 or committing actions of a sexual nature against a person below the age of 16	Armenia
	Lecherous actions	Armenia
	Sexual offences against minors	Costa Rica
	Sexual assault	Germany
Violation of the legal equity of a human being and a citizen		Armenia
Intellectual property-related offences	Infringement of copyright and related rights	Armenia
	Infringement of patent rights	Armenia
Engaging a child in the commission of actions related to pornography or preparation of pornographic materials or objects		Armenia
Public calls to use violence, and publicly justifying or propagating violence		Armenia
Destruction of or damage to historic and cultural monuments		Armenia
Violating safety rules within atomic energy facilities		Armenia
Organized crime and related offences	Forming or leading a criminal organization or participating in a criminal organization	Armenia
	Participation in an organized criminal group	Saudi Arabia
	Laundering the proceeds of crime	Saudi Arabia
	Corruption	Saudi Arabia
	Obstruction of justice	Saudi Arabia
Ecocide		Armenia, Kyrgyzstan
Crimes against the environment		Lithuania

<i>Category</i>	<i>Crime</i>	<i>State</i>
Bribery and related offences	Receiving a bribe	Armenia
	Giving a bribe	Armenia
	Abuse of official powers	Armenia
	Illicit enrichment	Costa Rica
	Criminal receipt, legalization or concealment of goods	Costa Rica
	Legislation or administration for personal gain	Costa Rica
	Irregular overpricing	Costa Rica
	Misrepresentation of the receipt of goods and services contracted	Costa Rica
	Irregular payment of administrative contracts	Costa Rica
	Influence peddling	Costa Rica
	Transnational bribery and influence against the Ministry of Finance	Costa Rica
	Offences covered by Act No. 8422 of 6 October 2004 on corruption and illicit enrichment in public service	Costa Rica
	Bribery in which the person being bribed commits acts not prohibited by law	Costa Rica
	Bribery in which the person being bribed commits acts constituting a criminal offence	Costa Rica
	Aggravated corruption	Costa Rica
	Acceptance of gifts for an accomplished act	Costa Rica
	Corruption of judges	Costa Rica
	Active bribery	Costa Rica
	Inappropriate business dealings	Costa Rica
	Embezzlement	Costa Rica
	Misappropriation	Costa Rica
	Embezzlement and misappropriation of private funds	Costa Rica

<i>Category</i>	<i>Crime</i>	<i>State</i>
Crimes against the safety of humanity	Bribery	Lithuania
	Trading in influence	Lithuania
	Graft	Lithuania
		Armenia
Medical-related offences	Illegal engagement in private medical or pharmaceutical practice, preparation or production or sale of false medicine	Armenia
	Illegal production or sale or use of medical products or false medical products	Armenia
Obscene publications		Costa Rica
Other offences	Offences for which the least severe penalty prescribed in Swedish law is imprisonment for four years or more	Sweden

Table 2

Specific legislation relevant to the subject, based on information submitted by Governments

<i>Category</i>	<i>Legislation</i>	<i>State</i>
Genocide and related offences	Criminal Code, arts. 393, 393.1 and 397.1	Armenia
	Criminal Code, art. 7 (I) (d)	Brazil
	Criminal Code, art. 7	Costa Rica
	Code for Crimes against International Law, sect. 6	Germany
	Criminal Code, sect. II, chaps. 52 and 53	Kyrgyzstan
	International Crimes Act	Netherlands
	Criminal Code, chap. 2, sect. 3; Act on Criminal Responsibility for Genocide, Crimes against Humanity and War Crimes (2014:406)	Sweden

<i>Category</i>	<i>Legislation</i>	<i>State</i>
Crimes against humanity and related offences	Criminal Code, art. 7	Costa Rica
	Code for Crimes against International Law, sect. 7	Germany
	Criminal Code, art. 7	Lithuania
	International Crimes Act	Netherlands
	Criminal Code, chap. 2, sect. 3; Act on Criminal Responsibility for Genocide, Crimes against Humanity and War Crimes (2014:406)	Sweden
War crimes and related offences	Criminal Code, arts. 384, 385, 387, 390, 391, 395 and 397	Armenia
	Criminal Code, art. 7	Costa Rica
	Code for Crimes against International Law, sects. 8–12	Germany
	Criminal Code, sect. II, chaps. 52 and 53; Criminal Code (2019), art. 395; Criminal Code (1997), art. 375	Kyrgyzstan
	Criminal Code, art. 7	Lithuania
	International Crimes Act	Netherlands
	Cabinet Resolution No. 564 of 5/11/1382 H (30 March A.D. 1963), as stipulated in para. 2 of Cabinet Resolution No. 95 of 26/5/1407 H (27 January 1987)	Saudi Arabia
	Criminal Code, chap. 2, sect. 3; Act on Criminal Responsibility for Genocide, Crimes against Humanity and War Crimes (2014:406)	Sweden
Crimes against peace and humanity	Criminal Code, sect. II, chaps. 52 and 53	Kyrgyzstan
Torture	Criminal Code, art. 309.1	Armenia
	Criminal Code, art. 7 (II) (b); Law 9455/1997	Brazil
	International Crimes Act, art. 8	Netherlands
	Royal Decree No. M/11 of 4/4/1418 H (9 August 1997)	Saudi Arabia
Aggression	International Crimes Act, art. 8 (c)	Netherlands

<i>Category</i>	<i>Legislation</i>	<i>State</i>
Piracy and related offences	Criminal Code, art. 220	Armenia
	Criminal Code, art. 7	Costa Rica
	Criminal Code, art. 7	Lithuania
	Criminal Code, art. 381	Netherlands
Apartheid	Criminal Code, sect. II, chaps. 52 and 53	Kyrgyzstan
Terrorism and related offences	Criminal Code, arts. 217, 217.1, 226.1, 388 and 389	Armenia
	Criminal Code, art. 7	Costa Rica
	Criminal Code (2019), arts. 239 and 240; Criminal Code (1997), arts. 226 and 226-1	Kyrgyzstan
	Criminal Code, art. 7	Lithuania
	Counter-Terrorism Act (Act No. 27 (2019))	Qatar
	Royal Decrees No. M/16 of 10/6/1419 H (2 October 1998), No. M/52 of 2/9/1426 H (5 October 2005), No. M/62 of 18/7/1428 H (2 August 2007), No. M/76 of 14/9/1428 H (26 September 2007) and No. M/89 of 3/11/1428 H (13 November 2007)	Saudi Arabia
	Criminal Code, chap. 2, sect. 3; Act on Criminal Responsibility for Terrorist Offences (2003:148)	Sweden
Enforced disappearances	Criminal Code, sect. II, chaps. 52 and 53	Kyrgyzstan
	International Crimes Act, art. 8 (a)	Netherlands
Slavery-related offences	Criminal Code, art. 7	Costa Rica
Offences related to transportation and communication	Criminal Code, arts. 221 and 251–257	Armenia
	Criminal Code, chap. 2, sect. 3	Sweden
Trafficking in persons and related offences	Criminal Code, arts. 125.1, 132, 132.1 and 329.1	Armenia
	Criminal Code, art. 7	Costa Rica
	Criminal Code, art. 7	Lithuania

<i>Category</i>	<i>Legislation</i>	<i>State</i>
	Combating Human Trafficking Act (Act No. 15 (2011))	Qatar
Drug-related offences	Criminal Code, arts. 266, 268, 269 and 275	Armenia
	Criminal Code, art. 7	Costa Rica
	Criminal Code, art. 7	Lithuania
Unlawful handling of nuclear or radioactive materials or other sources of ionizing radiation	Criminal Code, art. 7	Lithuania
Fiscal offences	Criminal Code, arts. 190 and 200	Armenia
	Criminal Code, art. 7	Costa Rica
	Criminal Code, art. 7	Lithuania
	Anti-Money-Laundering and Combating the Financing of Terrorism Act (Act No. 20 (2019))	Qatar
	Criminal Code, chap. 2, sect. 3	Sweden
Offences relates to international courts and tribunals	Criminal Code, chap. 2, sect. 3	Sweden
Offences related to arms and weapons	Criminal Code, arts. 235, 236, 238 and 386	Armenia
	Criminal Code, art. 7	Costa Rica
	Criminal Code, sect. II, chaps. 52 and 53; Criminal Code (2019), art. 384	Kyrgyzstan
	Criminal Code, chap. 2, sect. 3	Sweden
Hostage-taking	Criminal Code, art. 218	Armenia
	Royal Decree No. M/21 of 15/7/1410 H (11 February 1990)	Saudi Arabia
Offences against minors	Criminal Code, art. 7	Costa Rica
Sexual violence offences	Criminal Code, arts. 138 (part 2, point 3), 139 (part 2, point 3), 140 (part 2), 141 and 142	Armenia
Violation of the legal equity of a human being and a citizen	Criminal Code, art. 143	Armenia
Intellectual property-related offences	Criminal Code, arts. 158 and 159	Armenia

<i>Category</i>	<i>Legislation</i>	<i>State</i>
Engaging a child in the commission of actions related to pornography or preparation of pornographic materials or objects	Criminal Code, art. 166	Armenia
Public calls to use violence, publicly justifying or propagating violence	Criminal Code, art. 226.2	Armenia
Destruction of or damage to historic and cultural monuments	Criminal Code, art. 264	Armenia
Violating safety rules within atomic energy facilities	Criminal Code, art. 227	Armenia
Organized crime and related offences	Criminal Code, art. 223	Armenia
	Royal Decree No. M/20 of 24/3/1425 H (14 May 2004)	Saudi Arabia
Ecocide	Criminal Code, art. 394	Armenia
	Criminal Code, sect. II, chaps. 52 and 53	Kyrgyzstan
Crimes against the environment	Criminal Code, art. 7	Lithuania
Bribery and related offences	Criminal Code, arts. 308, 311 and 312	Armenia
	Criminal Code, art. 7	Costa Rica
	Criminal Code, art. 7	Lithuania
Crimes against the safety of humanity	Criminal Code, art. 392	Armenia
Medical-related offences	Criminal Code, arts. 280 and 280.2	Armenia
Other offences	Criminal Code, chap. 2, sect. 3	Sweden

Table 3

Relevant treaties referred to by Governments, including treaties containing *aut dedere aut judicare* provisions

A. Universal instruments

<i>Category</i>	<i>Instrument</i>	<i>State</i>
Human rights	Slavery Convention, 1926	Costa Rica
	Convention on the Prevention and Punishment of the Crime of Genocide, 1948	Colombia

<i>Category</i>	<i>Instrument</i>	<i>State</i>
	Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956	Costa Rica
	International Convention on the Elimination of All Forms of Racial Discrimination, 1965	Costa Rica
	International Covenant on Economic, Social and Cultural Rights, 1966	Costa Rica, El Salvador
	International Covenant on Civil and Political Rights, 1966	Colombia, Costa Rica, El Salvador
	Optional Protocol to the International Covenant on Civil and Political Rights, 1966	Costa Rica
	1967 Protocol relating to the Status of Refugees	Costa Rica
	International Convention on the Suppression and Punishment of the Crime of Apartheid, 1973	Colombia, Costa Rica
	Convention on the Elimination of All Forms of Discrimination against Women, 1979	Costa Rica
	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984	Colombia, Costa Rica, Netherlands, Qatar, Saudi Arabia
	Convention on the Rights of the Child, 1989	Costa Rica
	Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, 1999	Costa Rica
	Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2000	Costa Rica
	Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 2002	Costa Rica

<i>Category</i>	<i>Instrument</i>	<i>State</i>
	International Convention for the Protection of All Persons from Enforced Disappearance, 2006	Netherlands
	Convention on the Rights of Persons with Disabilities, 2006	Costa Rica
Law of armed conflict	Geneva Conventions, 1949	Colombia, Costa Rica, Qatar, Saudi Arabia, Sweden
	Convention for the Protection of Cultural Property in the Event of Armed Conflict, 1954	Costa Rica
	Second Protocol to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, 1999	Costa Rica
Law of the sea	United Nations Convention on the Law of the Sea, 1982	Costa Rica, Qatar
Aircraft or civil aviation safety	Convention for the Suppression of Unlawful Seizure of Aircraft, 1970	Costa Rica
Narcotic drugs and psychotropic substances	United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988	Costa Rica
Penal matters	Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 1973	Costa Rica
	International Convention against the Taking of Hostages, 1979	Costa Rica
	United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988	Colombia, Costa Rica
	Convention on the Safety of United Nations and Associated Personnel, 1994	
	Rome Statute of the International Criminal Court, 1998	Costa Rica, Netherlands, Sweden
	United Nations Convention against Transnational Organized Crime, 2000	Costa Rica, Saudi Arabia

<i>Category</i>	<i>Instrument</i>	<i>State</i>
Terrorism	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 2000	Costa Rica
	United Nations Convention against Corruption, 2003	Costa Rica
	International Convention for the Suppression of Terrorist Bombings, 1997	Costa Rica, Saudi Arabia
	International Convention for the Suppression of the Financing of Terrorism, 1999	Saudi Arabia
	International Convention for the Suppression of Acts of Nuclear Terrorism, 2005	Costa Rica, Saudi Arabia

B. Regional instruments

<i>Category</i>	<i>Instrument</i>	<i>State</i>
Human rights	American Convention on Human Rights, 1969	Colombia, Costa Rica, El Salvador
	Inter-American Convention to Prevent and Punish Torture, 1985	Colombia, Costa Rica
	Inter-American Convention on the International Return of Children, 1989	Costa Rica
	Inter-American Convention on Forced Disappearance of Persons, 1994	Colombia, Costa Rica
	Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, 1994	Costa Rica
	Inter-American Convention on International Traffic in Minors, 1994	Costa Rica
	Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities, 1999	Costa Rica

<i>Category</i>	<i>Instrument</i>	<i>State</i>
Terrorism	Convention to Prevent and Punish the Acts of Terrorism Taking the Form of Crimes against Persons and Related Extortion that are of International Significance, 1971	Colombia
	Arab Convention on the Suppression of Terrorism, 1998	Saudi Arabia
	Counter-terrorism agreement of the Cooperation Council for the Arab States of the Gulf	Saudi Arabia
Constitutive instruments	Charter of the Organization of American States, 1967	Costa Rica