Information by Portugal concerning the topic "The Scope and Application of the Principle of Universal Jurisdiction"
UNGA Resolution AJRES/64f117

Following the General Assembly Resolution A1RES/64/117, of 16 December 2009, the Secretary-General has requested Members States to provide information and observations concerning the scope and application of the principle of universal jurisdiction.

As a general principle, the Portuguese criminal legislation is applicable to all facts committed in the Portuguese territory'.

The Portuguese criminal legislation is also applicable to facts perpetrated outside the Portugueseterritory when cornrnltted":
i. By Portuguese citizens against other Portuguese citizens that reside in Portugal;
II. By Portuguese citizens or by foreigners against Portuguese citizens, ifthe offender is to be found in Portugal and if the facts are punishable in the territory where they took place unless if the punitive power is not carried out in that place, and the extradition cannot be performed or if it is decided not to surrender the offender as result of an European arrest warrant or of other international agreement binding Portugal;
iii. By foreigners, irrespective of the nationality of the victim, if the offender is to be found in Portugal and the extradition cannot be performed or if it is decided to not surrender in result of a European arrest warrant or of other international agreement binding Portugal;

1 Article 4 of the Criminal Code.
2 Article 5 (1) of the Criminal Code.

iv. By any person, regarding the crimes of "computer and communications fraud", the categories of crimes of "counterfeiting of money, credit certificate and sealed value" and of "faking of dies, weights and equivalent abjects'", the category of "crimes against national independency and integrity"s, the category of "crimes against the