
Permanent Mission of Panama to the United Nations
New York

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The Permanent Mission of the Republic of Panama to the United Nations presents its compliments to the Secretary-General of the United and, with regard to Note No. LA/COD/59/1 of 28 December 2011, in which information on the implementation of General Assembly resolution 66/103 ("The scope and application of the principle of universal jurisdiction") was requested, has the honour to transmit the following reply from the Government of Panama:

"The 1949 Geneva Conventions establish compulsory universal jurisdiction for the serious crimes identified in these instruments, such as war crimes. In that connection, States Parties have the obligation to look for suspected perpetrators, regardless of their nationality and of the place in which the alleged crime was committed, in order to bring them before their own courts or hand them over to another State party for prosecution.

Other international instruments, such as the Second Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and the 2006 International Convention for the Protection of All Persons from Enforced Disappearance, establish a similar obligation whereby States parties must grant their courts some form of extraterritorial jurisdiction over the acts criminalized in those treaties, particularly where they are committed during an armed conflict.

States must investigate war crimes allegedly committed in their territory or by their citizens and, where appropriate, they must prosecute the alleged perpetrators. Only in the event that other States fail to take action do universal jurisdiction and recourse to international criminal courts become valid ways to ensure that war crimes do not go unpunished and to prevent impunity.

precedents concerning crimes against humanity, but there are such precedents for the other crimes.