United Kingdom Mission
to the United Nations

Mr Chairman,

The United Kingdom of Great Britain and Northern Ireland

jurisdiction established over a crime irrespective of the nationality of the victim, the location of the alleged perpetration, or other links with the prosecuting State. We further consider it necessary to distinguish universal jurisdiction from other similar exercises of jurisdiction.

First, universal jurisdiction is distinct from the jurisdiction of international judicial mechanisms established by treaty, including that of the International Criminal Court.

Secondly, it is distinct from jurisdiction established under treaties in which the State parties establish an
regime. Some States may establish universal jurisdiction as a matter of domestic law in order to implement such obligations, as the United Kingdom has done in relation to the offence of torture, in order to implement its obligations under the United Nations Convention against Torture.

Thirdly, universal jurisdiction is distinct from the extra-territorial jurisdiction enjoyed as a matter of domestic law by the courts of many States in relation to the extra-territorial conduct of their own citizens or residents. In the United Kingdom, the starting point is that the criminal courts enjoy jurisdiction in relation to crimes where a substantial measure of the conduct in question took place within our jurisdiction. However, there are exceptions, including

jurisdiction, but in relation to which there is a lack of international consensus.

Mr Chairman, the territorial approach to jurisdiction reflects the general rule that the authorities of the State in whose territory an offence is committed are best placed to prosecute that offence. It also reflects the reality that evidence and witnesses are likely to be easier to secure in that State.

However, the exercise of territorial jurisdiction is not always possible or appropriate. In those cases, universal jurisdiction can be a necessary and important tool.

The United Kingdom considers that procedural safeguards must be in place to ensure that universal jurisdiction is exercised responsibly. For example, our prosecuting authorities would not

other practical issues. The latter was the recent experience of the United Kingdom during a prosecution for torture alleged to have taken place outside the United Kingdom.  While there were few legal difficulties with establishing universal jurisdiction pursuant to