

**OVERVIEW OF U.N. SECRETARY-GENERAL REPORTS ON
GENERAL ASSEMBLY AGENDA ITEM 85:
THE SCOPE AND APPLICATION OF THE PRINCIPAL
OF UNIVERSAL JURISDICTION
By Richard Horowitz, Esq., August 14, 2018**

1. Beginning in 2009 the General Assembly has passed annual resolutions entitled “the scope and application of universal jurisdiction” asking member states and related organizations (i.e., the ICRC) to submit relevant information and observations. Each year from 2010-2018 the Secretary-General has published a report that includes these submissions. The latest Secretary-General report was published on July 3, 2018. To date, 62 member states and 9 related organizations have contributed.

2. The General Assembly’s [Sixth Committee](#) (legal¹) deals with universal jurisdiction which is currently listed as General Assembly agenda item 85. See [GA 72nd \(2017\)](#) and [GA 71st \(2016\)](#) sessions. See [A/72/252](#) listing all the agenda items for the 2017 General Assembly.

3. The reports contain one section of comments by observers/related organizations and two sections of comments by governments.

The first is entitled basic legal rules, divided into (1) constitutional and other domestic legal frameworks; (2) applicable international treaties; and (3) judicial and other practice.

The second section is entitled conditions, restrictions or limitations to the exercise of jurisdiction: constitutional and domestic legal framework, described by the reports as “a synopsis of issues raised by Governments for possible discussion.”

4. The reports generally include the following tables:

1. List of crimes mentioned in the comments by Governments concerning which universal jurisdiction (including other bases of jurisdiction) is established by their codes;
2. Specific legislation relevant to the subject, based on information submitted by Governments;
3. Relevant treaties that were referred to by Governments, including treaties containing *aut dedere aut judicare* provisions

5. In addition to the Secretary-General reports, member states can make their views known on this issue through [Sixth Committee debates](#).

6. The Secretary-General annual reports on universal jurisdiction:

[A/73/123 \(2018\)](#)
[A/72/112 \(2017\)](#)
[A/71/111 \(2016\)](#)
[A/70/125 \(2015\)](#)
[A/69/174 \(2014\)](#)

[A/68/113 \(2013\)](#)
[A/67/116 \(2012\)](#)
[A/66/93 \(2011\)](#)
[A/65/181 \(2010\)](#)

¹ List of [GA committees](#).

7. List of member states and related organizations that submitted reports to the Secretary-General reports on universal jurisdiction and year of the SG reports where these submissions are found:

Member States

Argentina (2011)	Jordan (2015)
Armenia (2010)	Kenya (2010, 2014)
Australia (2010, 2013, 2016, 2017)	Kuwait (2015)
Austria (2010, 2014, 2017)	Lebanon (2010, 2011, 2013)
Azerbaijan (2010, 2011, 2015)	Lithuania (2011)
Belarus (2010, 2015)	Malaysia (2010)
Belgium (2010)	Moldova (2013)
Bolivia (201)	Netherlands (2010)
Bosnia and Herzegovina (2011)	New Zealand (2010)
Botswana (2011)	Norway (2010)
Bulgaria (2010)	Oman (2015)
Cameroon (2010)	Panama (2013)
Chile (2010)	Paraguay (2010, 2014)
China (2010)	Peru (2010, 2015)
Colombia (2011, 2013)	Philippines (2011)
Costa Rica (2010)	Portugal (2010)
Croatia (2015)	Republic of Korea (2010)
Cuba (2011, 2013, 2014, 2015, 2016)	Rwanda (2010)
Cyprus (2011, 2011)	Senegal (2017)
Czech Republic (2010, 2015)	Slovakia (2011)
Denmark (2014)	Slovenia (2010, 2011)
El Salvador (2010, 2011, 2014, 2017)	South Africa (2010)
Estonia (2010)	Spain 2011 (2013, 2016)
Finland (2010, 2016, 2017)	Sweden (2010, 2011, 2014)
France (2010)	Switzerland (2010, 2011)
Georgia (2016)	Togo (2017)
Germany (2010, 2017)	Tunisia (2010)
Greece (2013, 2015)	Ukraine (2017)
Hungary (2013)	United Kingdom (2011)
Iraq (2010)	United States (2010)
Israel (2010)	
Italy (2010)	

Related Organizations

African Union (2011, 2016)
Council of Europe (2011, 2014, 2017)
European Union (2015)
International Civil Aviation Organization (2015)
International Committee of the Red Cross (2014, 2015, 2016, 2017)
International Labor Organization (2011)
International Maritime Organization (2011, 2013, 2015)
Organization for the Prohibition of Chemical Weapons (2011, 2014, 2015)
UN Environmental Programme (2011, 2017)