



Permanent Mission of the
State of Qatar to the United Nations
New York



الوفد الدائم لدولة قطر
لدى الأمم المتحدة
نيويورك

QPM/11-645

The Permanent Mission of the State of Qatar to the United Nations presents its compliments to the Secretary-General of the United Nations, and, in reference to his note verbale dated 20 January 2011 (ref. LA/COD/59/1), concerning the request for information and observations from the Government of the State of Qatar regarding the **scope and application of universal jurisdiction** in accordance with General Assembly resolution 65/33, has the honour to submit below information and observations as received from the competent authorities of the State of Qatar:

- The concept of the principle of universal jurisdiction is intended to mean the authority of a national judge to prosecute and put on trial the perpetrators of certain crimes committed abroad by foreign persons against foreign persons.
- This principle could be a means to prevent impunity for criminals who commit certain crimes such as war crimes and crimes against humanity. Therefore, the State of Qatar cooperates with other states in order to explore a formula for this concept in accordance with international law, especially given that no specific definition now exists in accordance with current international law, that the principle remains unclear, that its application falls outside the purview of international conventions, and that it lacks many legal mechanisms that are necessary to specify the scope of its application.
- National legislation of the State of Qatar does not provide for the principle of universal jurisdiction, but in applying Article 6 of the Qatari Constitution, which reads "The State shall respect international pacts and execute all international agreements, pacts and treaties to which it is a party", Qatari criminal courts can have jurisdiction to hear cases of crimes outside Qatar's territory, according to conventions to which the State of Qatar is a party and which cover these crimes, provided that the accused perpetrator is present in its territory.

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- Qatari Penal Code of 2004 does not provide for universal jurisdiction, but Article 17 thereof states that "the provisions of this law are applicable on whoever exists in the state after committing abroad, as a committer or an accomplice, any of the crimes of trading of drugs or persons or the crimes of piracy or international terrorism." This implies that prosecution and putting on trial those who commit the crimes mentioned in this Article require their presence on Qatari territory at the time a case is brought against them, and that a case cannot be brought if the accused perpetrator is not within Qatari territory.

The Permanent Mission of the State of Qatar to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

New York, 10 June 2011

