



PERMANENT MISSION OF GREECE TO THE UNITED NATIONS

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### VERBAL NOTE

The Permanent Mission of Greece to the United Nations presents its compliments to the Office of Legal Affairs of the United Nations and in response to the Secretary-General's Note LA/COD/59/1 dated 31 December 2012, has the honor to submit the following:

The principle of universal jurisdiction is one of the traditional jurisdictional principles recognized in Greek criminal law. It should be stressed, however, that the scope of this principle is relatively limited.

More specifically, Article 8 of the Greek Penal Code establishes the principle of universal jurisdiction for the following categories of crimes committed abroad, to the extent that it provides that Greek penal laws are applicable to nationals and foreigners alike irrespective of the laws of the country where the act was committed:

- a) high treason, treason against the Greek State and terrorist acts;
- b) crimes concerning military service and the obligation for conscription;
- c) punishable acts committed by persons in their capacity as civil servants of the Greek State;
- d) acts against a Greek civil servant in the exercise of his/her duties or related to his/her duties;
- e) perjury in the context of proceedings pending before Greek authorities;
- f) piracy;
- g) crimes against the currency;
- h) slave-trade, trafficking in human beings, forced prostitution or sexual abuse of minors for profit, child sex tourism or child pornography;
- j) illegal trafficking in narcotic drugs;
- i) illegal circulation and trafficking in obscene publications;
- k) any other crime to which Greek penal laws apply by virtue of specific provisions or international conventions signed and ratified by Greece.

*Office of Legal Affairs  
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National jurisdiction is exercised irrespective of the location of the crime and the nationality of the alleged victim or perpetrator, concurrently to the eventual jurisdiction of other States. Furthermore, no application by a foreign authority or complaint by the victim is necessary for the prosecution of the act.

Art. 8 has been applied by the Greek Courts mostly in cases pertaining to trafficking in narcotic drugs.

Furthermore, Law 3658/2008 on "*Measures for the protection of cultural property and other provisions*" (Official Gazette, Vol. A' 70/22.4.2008) stipulates in Article 13 par. 4 that the offences provided for in Chapter 9 of Law 3028/2002 on the "*Protection of Antiquities and cultural heritage in general*" (Official Gazette, Vol. A' 153/28.6.2002) are prosecuted and punished according to Greek penal laws even if committed abroad.

It should also be noted that Article 2 of Law 3948/2011 (Official Gazette, Vol. A' 71/5.4.2011) on the "*Adjustment of domestic law provisions to the provisions of the Statute of the International Criminal Court ratified by Law 3003/2002 (A' 75)*" provides that the provisions of this Law are applicable both to nationals and foreigners for all acts enumerated in Articles 7 to 15 (i.e. genocide, crimes against humanity, war crimes, violation of the duty of supervision, omission to report a crime) provided that they have been committed:

- a) in the territory of the Greek State or on board Greek vessels or aircrafts, wherever they are present, unless they are subject to foreign legislation according to international law,
- b) abroad, by Greek nationals or foreigners who acquired the Greek nationality after the commission of the act,
- c) abroad, against the Greek State or Greek nationals.

Finally, Greece is a party to a number of international conventions (such as the conventions against terrorism adopted under the auspices of the United Nations) which provide for the obligation of States to establish their jurisdiction over the offences described therein in cases where the alleged offender is present in their territory.

The Permanent Mission of Greece to the United Nations avails itself of this opportunity to renew to the Office of Legal Affairs of the United Nations the assurances of its highest consideration.

New York, April 30, 2013

