

**PERMANENT MISSION OF AUSTRIA TO THE UNITED NATIONS
MISSION PERMANENTE DE L'AUTRICHE AUPRES DES NATIONS UNIES**

No: New-York-ÖV/RECHT/0180/2014

The Permanent Mission of Austria to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to Note LA/COD/59/1 regarding General Assembly resolution 68/117 of 16 December 2013 entitled "The scope and application of the principle of universal jurisdiction", has the honor to submit the following information:

According to Section 64 of the Austrian Penal Code, Austrian courts have jurisdiction concerning certain crimes (e.g. extortive abduction, slave trade, trafficking in human beings, organized crime, drugs-related crime, air piracy, terrorism-related acts) committed outside Austria regardless of locally applicable law, if certain Austrian interests are affected. Under this provision Austrian courts are also competent for other crimes committed outside Austria regardless of locally applicable law if Austria is under an obligation to prosecute under international treaties.

In the last two years the number of crimes that are listed in Section 64 of the Austrian Penal Code has been increased. This section now also includes crimes like rape, sexual coercion and torture.

According to Section 65 of the Austrian Penal Code, Austrian courts have jurisdiction concerning other crimes committed outside Austria if they are punishable under locally applicable law and if the perpetrator is caught on Austrian territory and cannot be extradited for a reason other than the nature or feature of his act.

The Permanent Mission of Austria 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, 24 April 2014