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Nümayəndəliyi



Permanent Mission of the
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to the United Nations

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The Permanent Mission of the Republic of Azerbaijan to the United Nations presents its compliments to the Office of Legal Affairs of the United Nations and with the reference to the note LA/COD/59/1, dated 21 January 2015, has the honour transmit relevant information by the Republic of Azerbaijan with respect to the UN General Assembly resolution 69/124 of 10 December 2014, entitled "The scope and application of the principle of universal jurisdiction".

The Permanent Mission of the Republic of Azerbaijan 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, April 14, 2015

Office of Legal Affairs
of the United Nations
New York

— The information by the Republic of Azerbaijan with respect to the UN General Assembly Resolution 69/124 of 10 December 2014, entitled “The scope and application of the principle of universal jurisdiction”

The Criminal Code of the Republic of Azerbaijan adopted on 30 December 1999 provides for the principle of universal jurisdiction.

According to Article 2 of the Criminal Code, ensuring peace and security of the humanity is one of the main objectives of the criminal legislation of the country.

Article 12.3 of the Criminal Code provides that the citizens of the Republic of Azerbaijan, foreign citizens or stateless persons who committed the crimes against peace and humanity, war crimes, human trafficking, terrorism, financing of terrorism, hijacking, taking hostages, tortures, piracy, illegal trafficking of narcotic drugs and psychotropic substances, forgery, attack on persons or establishments using international protection, crimes concerning radioactive materials, as well as the crimes deriving from international treaties to which the Republic of Azerbaijan is a party, and whatever the place of commission of those crimes, shall be held liable and punished under the Criminal Code of the Republic of Azerbaijan.

According to Article 13.3 of the Criminal Code, if a person who has committed a crime outside Azerbaijan is not handed over to a foreign state and if the offence is deemed a crime under the Code, that person is subject to criminal prosecution in Azerbaijan.

Under Article 502 of the Code of Criminal Procedure of the Republic of Azerbaijan adopted on 14 July 2000, the authority to bring a criminal prosecution against a citizen of Azerbaijan suspected of committing an offence in a foreign State resides with the prosecuting authority of Azerbaijan, on the basis of an official request from the competent authority of that foreign State and in accordance with the legislation of Azerbaijan.

On the basis of Article 75.5 of the Criminal Code, the release from criminal liability on the basis of statute of limitations does not apply to the persons who committed crimes against peace and humanity, terrorism, financing of terrorism and war crimes. Thus, the persons who committed crimes related to universal jurisdiction are prosecuted and punished regardless the time which passed after the commission of the publicly dangerous action (act or omission).

Article 80.4 of the Criminal Code provides for the punishment regardless the terms of execution of the court decision with respect to persons who committed crimes against peace and humanity, terrorism, financing of terrorism and war crimes.