



PERMANENT MISSION OF THE REPUBLIC OF
B U L G A R I A
T O T H E U N I T E D N A T I O N S

11 East 84th Street, New York, NY 10028, Tel: (212) 737 4790, Fax: (212) 472 9865, e-mail: bulgaria@un.int

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The Permanent Mission of the Republic of Bulgaria to the United Nations presents its compliments to the Secretariat of the Sixth Committee, Office of Legal Affairs, Codification Division of the United Nations, and referring to the Extracts of resolutions adopted by the General Assembly, on the recommendation of the Sixth Committee, containing requests addressed to States, international organizations and the Secretary-General, has the honour to submit the following document related to laws and other normative documents from the competence of the Ministry of Justice of the Republic of Bulgaria related to the Scope and Application of the Principle of Universal Jurisdiction:

1. Information on The scope and application of the principle of universal jurisdiction from the Ministry of Justice of the Republic of Bulgaria – 1 page

The Permanent Mission of the Republic of Bulgaria to the United Nations avails itself of this opportunity to renew to the Secretariat of the Sixth Committee, Office of Legal Affairs, Codification Division of the United Nations, the assurances of its highest consideration.

Encl.: As stated – 1 document.

New York, 16 July 2018

**Secretariat of the Sixth Committee
Office of Legal Affairs, Codification Division
United Nations
New York**

The scope and application of the principle of universal jurisdiction

The principle of universal jurisdiction is one out of the four main guiding principles (along with the territorial, personal and actual principle) for determination whether the penal law of a country is applicable from the point of view of the place, where an act has been committed. This principle demands from the country to penalize certain acts irrespective of the place of the committed act, whose interests have been infringed or the citizenship of the perpetrator.

The principle of universal jurisdiction has been set up in Article 6 of the Criminal Code¹. It's essence has been reduced to the situation, that the Bulgarian Criminal Code applies when the crime has been committed abroad by foreign citizen and interests of another country or citizens have been infringed, as well as there are some of the following prerequisites:

- The crimes committed abroad are against peace and humanity (Chapter XIV, „Crimes against peace and humanity“ from the Special Part of this Code) or
- Bulgaria has international obligation to realize criminal prosecution for these crimes.

The international treaties, falling within the competence of the Ministry of Justice do not contain provisions, assuming application of the principle of universal jurisdiction.

The Ministry of Justice is also not legally obliged to gather independently statistical data for the crimes, committed on Bulgarian territory and therefore does not have information regarding the case law on application of Article 6 and Chapter XIV from the Criminal Code.

¹ Criminal Code

GENERAL PART

Chapter one

Objective and scope of application of the Criminal Code

Section II

Scope of application of the Criminal Code

Article 6

(1) The Criminal Code shall also apply to foreign citizens who have committed abroad crimes against peace and humanity, whereby the interests of another state or foreign citizens have been affected.

(2) The Criminal Code shall also apply to other crimes committed by foreign citizens abroad, where this is stipulated in an international agreement, to which the Republic of Bulgaria is a party.