



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

№ 98-1

New York, 25 April 2019

The Permanent Mission of the Republic of Bulgaria to the United Nations presents its compliments to the Office of Legal Affairs of the United Nations, and referring to the note verbale LA/COD/59/1, dated January 9, 2019, requesting Member States to submit information and observations on the question of scope and application of universal jurisdiction has the honor to submit the information requested in a document enclosed to the present note verbale.

The Permanent Mission of the Republic of Bulgaria 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.

Encl.: As stated - 1 document.



Office of Legal Affairs
United Nations
New York

The Principle of Universal Jurisdiction is one of the four guiding principles, together with the territorial, personal and material principles, to address the question of whether the criminal legislation of a certain state is applicable in view of the venue of the committed act. This principle requires States to prosecute and punish certain criminal acts regardless of where the crime is committed, whose interests are affected or of the nationality of the perpetrator.

In the Bulgarian criminal legislation, the Principle of Universal Jurisdiction is governed by art. 6¹ of the Criminal Code. Its essence is that the Bulgarian law will be applied when the crime is committed abroad from a foreign citizen and that the crime affects the interest of a foreign country or individual and any of the following preconditions are met:

- the act constitutes any of the crimes under Chapter XIV “Crimes against peace and humanity” in the Special part of the Criminal Code of the Republic of Bulgaria.
- Bulgaria has an obligation under international law to initiate criminal proceedings for certain crimes.

Among the international treaties to which Republic of Bulgaria is a party, there are none that directly invoke the Principle of Universal Jurisdiction. At the same time, the principle “aut dedere aut iudicare” (“either extradite or prosecute”) is enshrined in a number of multilateral international treaties such as the Geneva Conventions, The UN Convention against Corruption, The UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to which the Republic of Bulgaria is a party. According to some concepts in international law, the principle of “aut dedere aut iudicare” implies the existence of universal jurisdiction.

¹ Art. 6. (1) The Criminal Code shall also apply to aliens who have committed a crime against peace and humanity abroad, which affects the interests of another state or foreign nationals.

(2) The Criminal Code shall also apply to other crimes committed by foreigners abroad where provided for in an international agreement to which the Republic of Bulgaria is a party.