



6th Legal: Universal Jurisdiction

Hi! My name is Evie Weinheimer and I'm your head chair for the 2017 MVHS conference! I'm a sophomore and this is my second year in MUN. This is also my first time chairing a committee! Outside of MUN, I am on the cross country team and I enjoy reading. I'm really looking forward to meeting you all!

I. Background

The International Justice Resource Center defines universal jurisdiction as “the idea that a national court may prosecute individuals for any serious crime against international law — such as crimes against humanity, war crimes, genocide, and torture — based on the principle that such crimes harm the international community or international order itself, which individual States may act to protect.” It was first introduced in the 1949 Geneva Conventions on the laws of war. Universal jurisdiction authorizes countries to make a case against crimes committed against humanity. The only way someone can be tried is by the extent of the crime not by the location. Universal jurisdiction is often used to try political leaders who are harming their people. It helps people get justice when they have been put in an unfair position. It can be a backup plan if their State does not have laws addressing the crime committed against them. Only a few cases are selected to be tried, depending on their severity. Universal jurisdiction does not involve individual cases. A country has to present a case to the International Crime Court in order for it to be looked at.

II. UN Involvement

The United Nations Security Council usually handles universal jurisdiction. They have four main purposes: “To maintain international peace and security; to develop friendly relations among nations; to cooperate in solving international problems and in promoting respect for human rights; and to be a center for harmonizing the actions of nations.” They have various solutions to solving conflict including ceasefires, investigations, sanctions and many more. The General Assembly also addresses the conflicts brought up by the Security Council. They work together find a solution. The Security Council picks judges for the International Court of Justice (ICJ.) The ICJ is a court of 15 judges that resolves disputes between countries. In order for a case to be tried, the State has to accept certain jurisdiction.

III. Possible Solutions

The United Nations is involved in the superintendence of the Universal Jurisdiction situation. Over time various solutions have been admitted, the UN has worked to evaluate them all, but in cases the solutions do not and or won't benefit surrounding countries. The organization “CAUSE” has initiated a five step plan for evaluating and dismantling the crime that is pointed against the International Law. The first step is “evaluating the situation before any drastic actions or measures are taken, a solid idea needs to be cleared which will then allow for a plan of action



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to be created.” Step two is to “establish a plan of action which will entail; the overview of country leaders that they are fit for leadership and to enforce the laws that are set in stone, along with the assessment of the style of government.” Step three is to “enforce the Cross-border Insolvency law mainly it involves the insolvency procedure and is initiated in one jurisdiction, in relation to the property of a debtor who is situated in another jurisdiction”. Step four is to (since Jurisdiction can be a cyber issue too)” dismantle the infrastructure of dangerous code writers and specialized web hosts from the active identification of developer groups and a combination of law enforcement, governments and the ICT industry to maintain the situation at its peak in technology”. And finally, Step five is to “eradicate the outbreak and end the abuse of laws caused by citizens. Communication windows must stay open in order to monitor the sites, also i steady guard and or restriction must be produced to allow a watch over of countries and governments to make sure the laws are correctly being stretched out with proper persecutions if not effective.”

IV. Country Bloc Positions

African: Over the last few years the African bloc has had a number of issues regarding universal jurisdiction. These issues have been directly relating to international criminal justice. The Au has also adopted a Model Law on universal jurisdiction.

Western: The western bloc released the torture report. They also hope to explore new ways for people to take accountability outside their region.

Asia/Pacific: In the Asian Bloc they hope to evaluate more on the human rights side than the side of punishing people for the crimes they have committed even though they may have been bad they hope that everyone will have a fair trial.

Europe: The Europe Bloc also agrees with Asia on the fact that everyone should have human rights which includes people having a fair trial.

Middle East: In the Middle East Bloc there have been threats to many people and their human rights. Because of this, there has been a NGO set in place to talk to the discharged made of Israeli Defense Force Veterans.

V. Questions to consider

1. If so, why do you as a country believe that jurisdiction is a problem in the governmental system?
2. What laws have been introduced and actually followed within the country’s government?
3. Are there or have there been attempts to reach out to NGO’s and or other organizations to help or prevent the situation within the country’s borders?



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VI. Works Cited

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