

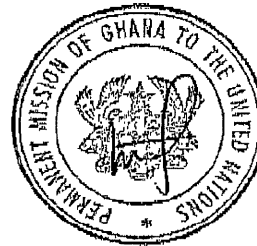
PERMANENT MISSION OF GHANA TO THE UNITED NATIONS
19 EAST 47TH STREET
NEW YORK, N.Y. 10017
TEL. No. 212-882-1900

UN/ILC

The Permanent Mission of the Republic of Ghana to the United Nations presents its compliments to the United Nations Secretariat, Office of Legal Affairs (Codification Division), and has the honour to forward as attached, Note Verbale No. LE/II dated 27th April, 2012 from the Ministry of Foreign Affairs and Regional Integration of Ghana, relating to information provided by the Government of Ghana on Universal Jurisdiction.

The Permanent Mission of the Republic of Ghana to the United Nations avails itself of this opportunity to renew to the United Nations Secretariat, Office of Legal Affairs (codification Division), the assurances of its highest consideration.

New York, 7th May 2012



UNITED NATIONS SECRETARIAT
OFFICE OF LEGAL AFFAIRS (CODIFICATION DIVISION)
NEW YORK

Enc.



REPUBLIC OF GHANA

LE/II

MINISTRY OF FOREIGN AFFAIRS AND
REGIONAL INTEGRATION

The Ministry of Foreign Affairs and Regional Integration of the Republic of Ghana presents its compliments to Secretariat of the United Nations, Office of Legal Affairs (Codification Division) and, with reference to General Assembly resolution A/66/103 of 9th December, 2001 entitled "*The Scope and Application of the Principle of Universal Jurisdiction*," adopted during the Sixty-sixth Session, has the honour to submit information relating to relevant legislation in Ghana providing for universal jurisdiction in respect of certain crimes, as follows.

Part Four of the Courts Act of the Republic of Ghana, 1993, (Act 459) entitled "*Exercise of Jurisdiction, Evidence and Rules of Court*" section 56 provides that:

quote

56. "Criminal jurisdiction of the Courts"

- (1.) *Subject to this section, the jurisdiction of the Courts in criminal matters is exercisable only in respect of an offence committed within Ghana including its territorial waters and air space and in respect of offences committed on a ship or an aircraft registered or licensed in Ghana.*
- (4.) *A person whether a citizen or not, is liable to be tried and punished in Ghana if that person does an act which if done within the jurisdiction of the courts of Ghana would have constituted any of the following offences:*
- (a) *slave trade or traffic in slaves;*
 - (b) *piracy;*
 - (c) *traffic in women or children;*
 - (d) *falsification or counterfeiting or uttering of false copies or counterfeits of an official seal of the Republic or any currency, instrument of credit, stamp, passport, or public document issued by the Republic or under its authority;*
 - (e) *genocide;*

- (f) *an offence against the property of the Republic;*
- (g) *an offence against the security, territorial integrity or political independence of the Republic;*
- (h) *hijacking;*
- (i) *unlawful traffic in narcotics;*
- (j) *attacks on an international communications system, canal or submarine cable;*
- (k) *unauthorized disclosure of an official secret of the Republic;*
- (l) *an offence by or against a person in the employment of the Republic or a statutory corporation while acting in the course of the duties of the employment;*
- (m) *traffic in obscene publication; and*
- (n) *any other offence which is authorized or required by a convention or treaty to which the Republic is a signatory to be prosecuted and punished in Ghana wherever the offence was committed. Unquote*

Also article 1 of the Geneva Conventions Act of Ghana, 2009 (Act 708) provides that for the exercise of jurisdiction, indictments may be issued against any person of whatever nationality who commits an offence whether within or outside Ghana.

The Ministry of Foreign Affairs and Regional Integration of the Republic of Ghana avails itself of this opportunity to renew to the Secretariat of the United Nations, Office of Legal Affairs (Codification Division) the assurances of its highest consideration.



ACCRA, 27th APRIL, 2012

SECRETARIAT OF THE UNITED NATIONS,
CODIFICATION DIVISION
NEW YORK