

JURISDICTION

1 SUBJECT

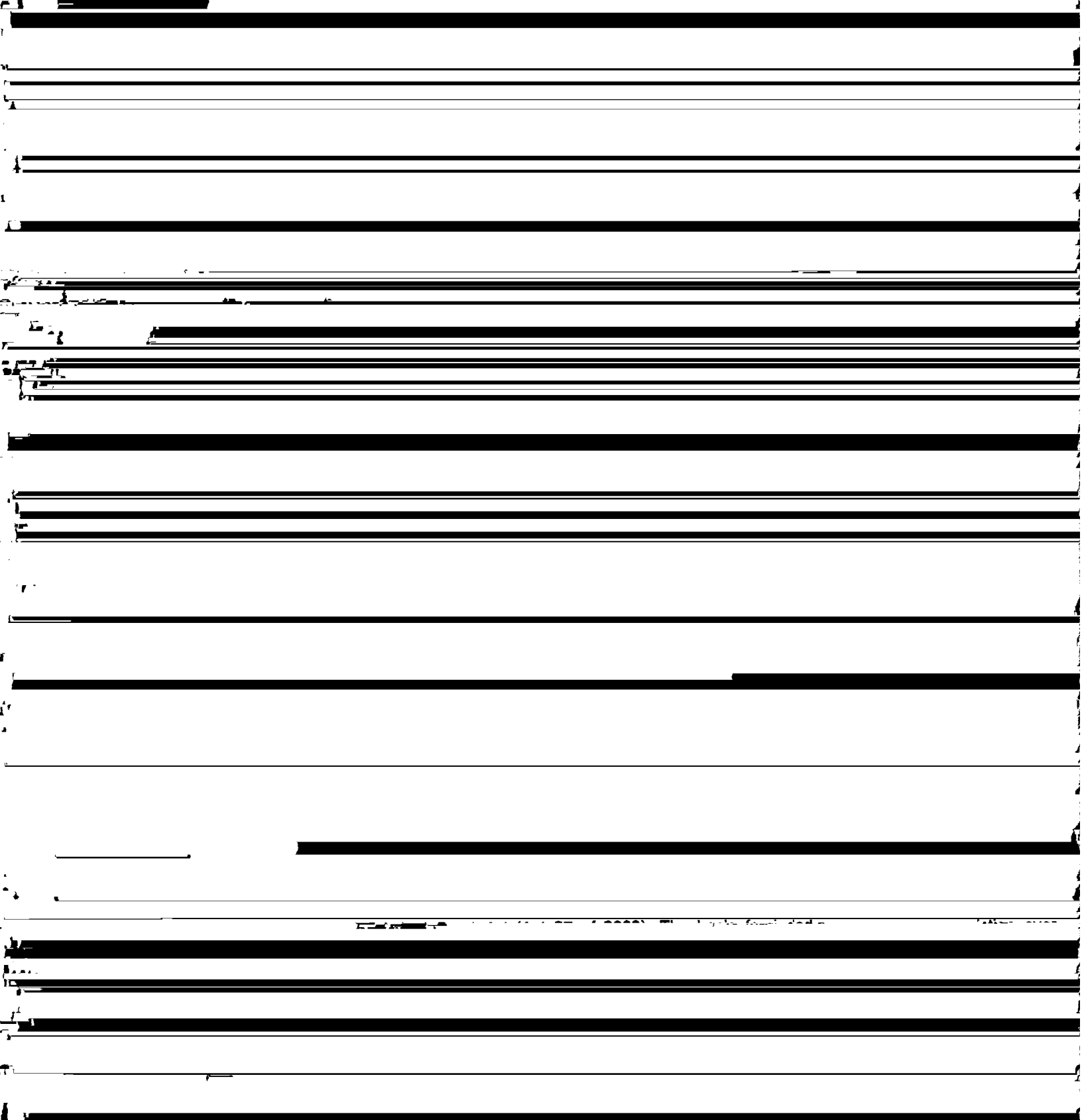
The South African Government has been requested to make observation to the Secretary-

3.2.1 The Nationality Principle:

South Africa in general accepts the principle that it will not exercise jurisdiction over acts committed by its nationals abroad, with certain exceptions like treason, while Parliament

3.4 UNIVERSAL JURISDICTION IN SOUTH AFRICAN LAW

3.4.1 In practice, South Africa will not try a person for an international crime unless it has criminalised under its domestic law as is the case with the crimes provided for in the



- *Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation;*
- *Convention for the Suppression of Unlawful Acts against the Safety of*

3.5.3 Jurisdiction over offences provided for in the conventions are conferred on South

passive personality, protection of the state and "any other basis recognized by law" (15), while a person may also be prosecuted in South Africa for an offence in terms of the conventions when such person is present on South African territory if a South African court has jurisdiction or any court in a foreign state has jurisdiction.

3.5.4 Wide jurisdictional powers are therefore conferred on the South African courts by the Act, but it is submitted that all the grounds for jurisdiction require a jurisdictional link with South Africa in order for a prosecution to take place in a South African court.