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At the national level, the concept of universal jurisdiction is defined by the Togolese Penal Code, in the context of the jurisdiction of courts (articles 5, 6 and 7) and, subsidiarily, by the Code of Penal Procedure, in the context of depositions by members of the Government and representatives of foreign Powers.

Article 5: criminal penalties may be handed down only by judges competent under the law to try the cases in question in accordance with their powers and geographical jurisdiction.

Article 6: the Togolese courts are competent to try any offence committed on Togolese territory, including maritime and air space and ships or aircraft recognized by law, treaties or international custom as having national sovereignty.

They are not, however, competent to try offences committed on board foreign military vessels sailing or berthing in Togolese territorial waters.

An offence is deemed to have been committed in Togo if at least part of the or acts of complicity in the principal action took place in Togo.

Article 7: the Togolese courts are competent to try any act classified as a crime under Togolese law that is committed by a Togolese national abroad.

They are also competent to judge any offence committed abroad by a Togolese national if the act is also punishable by the law of the country where it was committed. The same shall apply if the accused has acquired Togolese nationality only after the act for which he or she is being prosecuted was committed.

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The Togolese courts are also competent to try foreign nationals who, outside the national territory, have perpetrated, or been

