

The Principle Of Universal Criminal Jurisdiction Under International Criminal Law

مبدأ الاختصاص الجنائي العالمي في ضوء القانون الدولي الجنائي

Dr.Toufik Attalah*, khenchela University, Algeria.

toufik.attalah@univ-khenchela.dz

Dr.Nabil Malkia, khenchela University, Algeria.

Nabil.malkia@univ-khenchela.dz

Date de réception:(25/08/2020) , Date de révision: (28/09/2020), Date d'acceptation :(10/10/2020)

Abstract :

ملخص :

The principle of universal criminal jurisdiction is a legal mechanism and a fundamental issue.

It aims at strengthening the capacity of the national criminal justice system to eliminate impunity. Thus, this research has explored its content, legal nature, and importance.

The research demonstrated constraints in implementing this principle. Accordingly, national laws must be adapted to establish an international criminal justice.

In accordance with the international conventions ratified by the state, taking into account the principle of complementarity, in accordance with the provisions of international criminal law in the Rome Statute.

Keywords : National Jurisdiction, Procedural Legality Universal Criminal Jurisdiction. The principle of complementarity..

إن مبدأ الولاية القضائية الجنائية العالمية آلية

قانونية ومسألة أساسية. ويهدف إلى تعزيز

قدرة نظام العدالة الجنائية الوطني على

القضاء على الإفلات من العقاب.

وبالتالي، فإن هذا البحث قد استكشف محتواه

وطبيعته القانونية وأهميته. وقد أظهر البحث

معوقات في تطبيق هذا المبدأ. وبناءً على

ذلك، يجب تكييف القوانين الوطنية لإنشاء

عدالة جنائية دولية. وفقاً للاتفاقيات الدولية

التي صادقت عليها الدولة مع مراعاة مبدأ

التكامل وفق ما تنص عليه قواعد القانون

الدولي الجنائي في ميثاق روما.

الكلمات المفتاحية: الاختصاص الجنائي

العالمي، القضاء الوطني، الشرعية الإجرائية،

مبدأ التكامل

*Auteur correspondant: Dr.Toufik Attalah, Email: toufik.attalah@univ-khenchela.dz

1. INTRODUCTION:

International humanitarian law is a key humanitarian law. It generally aims to humanize international law' norms and protect vulnerable parties in international or non-international armed conflicts. It stems from the principle of humanity in itself and from the spirit of the universal declaration of human rights, which recognized the sanctity of the human life and prohibited its aggression.

Despite the international legal momentum, the adoption of the principle of prohibiting the use of force in international relations by the international community and the United Nations, and the technological development of societies and the third millennium, tragedies and wars are still evolving and using lethal weapons relentlessly (Makhzoumi, 2020)

Additionally, international criminal law subsequently undertakes criminal proceedings against offenders or potential offenders to bring them to justice. This is according to the laws and under several legal international principles, including the principle of fair trial and respect for human rights. However, there have been several very painful moments in man's history where some criminals were tried and punished, and others remained unpunished for some reasons; for instance, the commission of extraterritorial offenses, and the lack of universal jurisdiction character to these national courts, especially in modern times. Consequently, organized crime grew terribly, and the principle of regionalism governing criminal law became incapacitated to deal with certain extraterritorial crimes (Bensghier, 2019, p. 59).

Research Questions:

The current research addresses the following research questions:

What is the universal criminal jurisdiction's principle? What is its legal nature?

What is the importance of universal criminal jurisdiction? And what is its role in international criminal justice?

What are the main constraints of implementing the principle of universality of the criminal provision?

Aims of the Study:

This study aims to:

Demonstrate the paramount importance of universal jurisdiction.

Raise worldwide legislators' awareness to the importance of constitutional affirmation of the principle in international conventions and of adapting national criminal law accordingly to combat impunity.

Encouraging international judicial cooperation and thus facilitating the process of extradition between countries in accordance with legal, peace-keeping and security frameworks, and to try to avoid the political and legal constraints that have been encountered in implementing international criminal justice through the application of the principle universal jurisdiction.

Reveal that international criminal justice is a complementary to national jurisdiction and not an alternative.

Literature Review :

Khalif (2014) study determines the legal basis for universal criminal jurisdiction over war crimes, genocide, and crimes against humanity. His research showed that universal jurisdiction is a legal mechanism that operates international judicial cooperation and that its foundations are set in conventional and customary international law; particularly the Geneva Conventions of 1949. However, many legal

and political constraints are faced in the way states implement universal jurisdiction' principle (pp. 505-506).

Keddache (2016) research aimed at examining the role of universal jurisdiction's principle in protecting human rights and in deterring serious violations. The study revealed the importance of the principle of universal jurisdiction in maintaining human rights; however, it is complementary to national jurisdiction and not as an alternative to end impunity and achieve international criminal justice (pp. 135-136).

Significance of the Study:

This study is of supreme significance for a number of reasons. Firstly, it raises legislators' awareness on the incapacity of the principle of regionalism governing criminal law to rule extraterritorial crime under globalization and high-resolution technology that has shred the international community (Bensghier, 2019, p. 59). Therefore, the adoption of the principle of universality of the criminal provision became necessary in numerous cases (Al-Kasiri, 2018). Secondly, it raises awareness about the centrality of the principle of universality of the criminal provision in the international criminal law as it eliminates impunity (Bin Gharbi, & Khwail, 2016, p. 8). Besides, the lack of procedural legality, i.e., to pursue an accused without a legal provision that would authorize the national judiciary to impose sentences of extraterritorial crime. This is considered illegal as a general asset and a waste of state law of which most important features are the rule of law and respect for human rights (Khelfi, 2017, p.86). Moreover, the national judge faces constraints in several cases when implementing the principle of universality of the criminal provision. This if his State is not a member of the convention providing for this principle, or his State is a member of the convention but did not adapt its national law and did not implement the principle of universality of the criminal provision. Furthermore, the National Court and the International Criminal Court protect liberties and guarantee fair trial and rights of defense. This is both at the national and international levels in the implementation of international criminal justice principle (Gueskel, 2009, p.6-7). Finally, the phenomenon of national criminal law globalization has emerged because of the increasing international need to set restrictions to offenders and to unify the criminal legislation of various States (Al- Kasiri, 2018).

Research Methodology:

A descriptive analytical approach is adopted to describe accurately the principle of universality and to analyze the criminal provision by demonstrating its legal nature, its sources, and its effects on the rights of both the victims and the accused, and on the international community as a whole, as well as highlighting its role in maintaining international judicial cooperation.

Organization of the Dissertation :

The current research tries to answer the research questions by addressing the principle of universality of the criminal provision, in some international conventions, and its importance in order to achieve the implementation of universal criminal jurisdiction and to reduce its constraints as follows:

Chapter One: Definitions of Key Terms:

In this chapter, the principle of legality in criminal law will be defined and its origins in Islamic criminal legislation will be presented, and then the principle of universal criminal jurisdiction will be addressed.

Definition of the principle of legality in criminal law:

The principles of legality in the national criminal law is defined as the exclusive determinant law of crimes and penalties, first by identifying crimes then imposing penalties according to their seriousness, i.e. an exclusive authority of the legislature where the judge is bound by the text and cannot be derogated from it. In other words, the legal text alone is sufficient to criminalize a particular incident (Khelfi, 2017, p.84-85). Nonetheless, the principle of legality under international criminal law is distinct because international criminalization's provisions are the most revealing of the previous offense. Hence, international custom is the basic source of criminalization and the judge has the right to broad interpretation for the text (Khelfi, 2014, p. 187).

The origins of the principle of legality in Islamic criminal legislation:

The origins of Islamic criminal legislation principle stems from the Holy Quran; for instance, Allah says; "And we would not be torturing people until we send a messenger" (the Qur'an, verse 15). Further, jurists agreed that the Holy Quran is the basis of Islamic criminal legislation and that the Islamic legislation is the first to provide for the principle of legality (Al-Warqan, 2011, p.23). However, after the Islamic golden age, Europe lived under injustice, oppression, arbitrary justice, and human rights violations (Khelfi, 2017, p. 89).

Definition of the principle of universal criminal jurisdiction:

This principle will be tackled through its history, origins, and reasons for its emergence as follows:

1.2.1. The circumstances and reasons for the establishment of the principle of universality of the criminal provision:

Man's history has gone through several dark ages where serious crimes and violations of humanitarian law were committed against humanity namely in the first and second world wars, besides crimes in both countries the former Yugoslavia and Rwanda.

Moreover, the increased crimes of piracy and the establishment of temporary military tribunals as well as the crimes of French colonialists in Algeria have prompted the beginning of condemnation and demand for the trial of war criminals, especially in times of armed conflicts. This had led to the foundation of international criminal law (Xavier, 2006, p. 378 & Al-Eisi, & Al-Hussainawi, 2009, p.11)

In the same vein, jurists of international law have contributed in the growing of world public opinion demanding the prosecution of criminals; for instance, Jurcius in the seventeenth century, who wrote a on War, Peace and Fair War (as cited in Al-Majzoub, 2004, p. 43). He considered that serious violations of the law of nations or of international law are serious crimes and against the principle of humanity and violate the natural act (2 March 2006, p. 7).

Additionally, unlike Grosius, the German jurist (Vattel) in his book Human Law or Principles of Natural Law, the principle of the sovereignty of the state was given a paramount importance (as cited in Al-Majzoub, 2004, p. 44).

As for the jurist (CAFARFIASE), he believes that atrocities and crimes must stop and perpetrators should be brought to trial. However, he believes at the same time that it is unfair and unreasonable that the accused will be under the judge's jurisdiction of the place of arrest without any regard to the nationality or the place where the crime was committed (as cited in Khalil, 2010, P. 281).

Definition of the principle of universality of the criminal provision:

One of the general principles of international criminal law states that every accused person could be tried for a particular offense in any particular judicial body

constituted under a particular law. Hence, International Criminal Court (ICC) allows the national judge to try persons who have committed serious crimes provided that there would be no double prosecution between international and national courts (Khalafi, 2008, p. 28). This is because international justice and as a general asset is complementary the national judiciary and is not an alternative in accordance with article 80 of the Rome Statute on the International Criminal Court (Al-Eisi & Al-Hussainawi, 2009, p. 78).

Furthermore, the principle of universality means that "every State shall have jurisdiction over any crime regardless of its place and the perpetrator's nationality provided that he or she is arrested before the trial begins" (Khelfi 2017, p. 165). Mary Robinson also considers the principle of universal jurisdiction to be a conventional principle whereby criminal prosecution is required for certain offenses regardless of where they are committed, or the nationality of the perpetrator or the victim. Its significance is to safeguard supreme interests of States that find themselves forced to file a suit and/or pursue perpetrators (Mary Robinson, 2001, p. 16). Hence, impunity would end under the universal jurisdiction, of anyone accused and anywhere in the world based on the idea that certain crimes are very harmful to the interests of the international community (Xavier, 2006, p.323).

Besides, Preston University has developed general provisions, named as the Preston Principles of Universal Jurisdiction. The latter considers the type of crime regardless of; where it is committed, nationality, or any other criterion of the jurisdiction (Coppens, 2004, p. 16). Additionally, the Institute of International Law defined universal jurisdiction as "a supplementary principle of jurisdiction through which a State can pursue and punish an accused according to its law" (Khalafi, 2014, p. 17).

In the same vein, Arab scholars argue that universal jurisdiction means that a national jurisdiction can rule and prosecute perpetrators in accordance to national legislation without considering where crimes were committed, or requiring any related conditions between the perpetrators or victims, and without considering perpetrators' and victims' nationality (Sorour, 2006). Moreover, every State has the right to pursue and punish anyone convicted of an international crime, regardless of nationality, or the place of crime, as a system or idea it pursues a crime of an international in nature (Mansour Al-Sawi, D.20).

Thus, it can be concluded that universal criminal jurisdiction is essentially the prerogative of a State's national jurisdiction to prosecute offenders of international crimes without regard to place, nationality of perpetrators, and victims or their whereabouts (Mahdi, 2002, p. 982), i.e., the referral of extraterritorial committed crimes to the national judiciary for trial (Al-Rifai, 2006, p. 1. 14).

Chapter Two: The concept of universality and importance of the criminal provision in some international conventions:

In this section, concepts of the principle of universality of the criminal provision are addressed, i.e., the various legal texts. Then, its importance is highlighted, whether under international criminal law, or international humanitarian law, or all relevant laws.

2.1. Concepts of the principle of universality of the criminal provision in some international conventions:

Some international conventions relating to international criminal law were examined and the findings show that they include text either explicitly or implicitly on this principle, i.e. There exist universal jurisdiction through certain articles or in the

preamble which embodies and imposes national justice to end impunity (Xavier, 2006, p. 378).

For instance, this principle is embodied in the Geneva Conventions of the year 1949, as mentioned in articles 51, 52 of the first and second Conventions, respectively; in addition to article 131 of the third convention on the protection of prisoners of War, and article 148 of the fourth convention. This was the first step toward its official adoption among nations (Hissam, 2015, p.69). Besides, the principle of universal jurisdiction is explicitly found in UNCLOS article 105 that is related to the crime of piracy. Moreover, Belgium has also adopted the automatic implementation of the principle of universal criminal jurisdiction in accordance with its commitments to the international conventions (Boukirat, 2005, p. 202).

2.2. The importance of the principle of universal jurisdiction of the criminal provision and its legal nature:

Universal criminal jurisdiction is inherent, and it is recognition of the freedom of the State to establish the principles of jurisdiction that are consistent with its interests (Bailleux, 2005). P21). This principle's support is found in the national legislation of the State to which it belongs, i.e., a part of the State's law. Furthermore, The Statute of the International Criminal Court affirms the national judiciary's right to take actions in compliance with international community obligations (Bekeniche, & Qatawi, 2019, p. 47)

In other words, the national judiciary takes precedence in implementing general principles of jurisdiction to the international criminal justice, i.e. the current International Criminal Court (Bassiouni, 2002, p. 144). Additionally, the principle of universality of the criminal provision is not a substitute for the principle of territorial jurisdiction of the criminal provision; rather it is a complementary and a protective of the State's criminal justice and of the international community as a whole. This is because it is the basis besides other legal principles as the personality and the protective principles in the criminal provision (Benghier, 2019, p. 70). This can mean that national jurisdiction is held in compliance with the principle of universal jurisdiction, if jurisdiction is unfulfilled under the territorial, personality or protective principles. Accordingly, international justice is a complementary and not a substitute for national justice (Serag, 2001, p. 2).

The principle of universal jurisdiction of the criminal provision is important because it interfaces between the need for the collective interest of States' sovereignty over their territory, and the imperative of protecting the human values of international community. This aims at establishing international criminal justice for both perpetrators and victims (Khalafi, 2014, p. 499). In the same vein, strengthening international judicial cooperation will be through the universality of criminal law and by encouraging extradition of offenders between States and, where possible, the principle of absolute sovereignty should not be strictly applied aiming at maintaining security and peace (Benghier, 2019, pp. 70-q

The principle of universality of the criminal provision has had a central role in changing the concept of absolute immunity for States' Presidents. This was in the interest of the enforcement of individual criminal responsibility under both; the universality of punishment and in consideration of humanity and public conscience. This is clearly reflected in the Rome Statute in 1998 of the International Criminal Court (Bekeniche, & Qatawi, 2019, pp. 60-61).

Chapter Three: The implementation of universal criminal jurisdiction and its constraints:

It is obvious that a country's adoption of the principle of universal criminal jurisdiction requires certain legal procedures in order to have jurisdiction over the national jurisdiction and thus the judge can apply it in the cases before the court in accordance with the principle of criminal legality (Tamam & Shubri, 2017, p.92); Thus, the terms for the implementation of universal criminal jurisdiction, its applications and its concepts will be addressed as follows:

3.1. Ways of enforcing the principle of universal criminal jurisdiction:

The universal criminal jurisdiction of national justice is generally held by two methods as a general proceeding. However, any State may add other ways or methods that it deems appropriate. Besides, the international community has also been able to extend its jurisdiction to extraterritorial crimes such as genocide, war crimes, piracy, human trafficking, and others. The latter is imposed by virtue of public conscience and the general interest of the international community (Mane, 2009, p.79-80). However, the enforcement of this principle can be through:

3.1.1. The inclusion of universal criminal jurisdiction in the internal State law:

In accordance with the principle of procedural legality, it is not sufficient as a general proceeding for a State to ratify a particular convention, i.e., the adoption and enforcement of the principle of universal criminal jurisdiction. According to jurists, this can be achieved by adapting and amending the domestic law of the State so that the State may have jurisdiction over the prosecution of the perpetrators, whether the crime is territorial or extraterritorial. Hence, an explicit provision for this principle should be made in its domestic law (Khelfi 2017, p. 417). 166). Nevertheless, this is rational since the investigation and gathering evidence of a particular crime, hearing witnesses and other necessary actions are very difficult in extraterritorial crimes. This due to the States' adherence to the principle of absolute sovereignty and any external or foreign crime investigation is considered Illegal interference, which would hinder international cooperation, disturb international relations, and may result in tension of friendly and diplomatic relations between States (Al-Rifai, 2006, p. 66).

Moreover, States do not apply the international conventions as soon as they are ratified. Rather, it entails inclusion of their provisions in domestic law because national jurisdiction remains the basis and the indispensable legislation. Notably, this is confirmed in the Rome Statute in the tenth preamble paragraph by saying that "the International Criminal Court established by this Statute will be complementary to national criminal jurisdiction." (Al-Eisi, & Al-Hussainawi, 2009, p.52). However, there are countries that have endorsed the same principle of universal jurisdiction, although they have not acceded to international conventions (Eric, 2004, P20). Additionally, the Algerian legislature did not an explicit provision for the principle of universality of the criminal provision, but the doctrine was considered by the jurists to be the international norm for the blockade of international crime and so on the basis of the public interest of the international community and the conscience of humanity. However, the Algerian legislature did not explicitly include the principle of universality of the criminal provision; rather jurists believe that the principle should be used as an international custom to besiege crime by virtue of public conscience and of the general interest of international community (Khelfi, 2017, pp. 166-167).

3.1.2. The automatic application of universal jurisdiction in accordance with international conventions:

States which are part of international criminal law can automatically apply certain conventions' provisions that have been legally ratified, without the need to issue a special legislation. Besides, the need for international cooperation has obliged States

to cede sovereignty aiming at combating international crime. Hence, several international conventions and specialized organizations have been harnessed such as the Interpol police (Ben-Sheikh Aith Melouia, 2012, p. 75). In this context, the Public Prosecutor's Office in both Belgian and British legislation has the discretionary power in the enforcement of universal jurisdiction, unlike the French and Spanish courts that are independent of the Public Prosecutor's Office (Keshtah, 2014, p. 597).

3.2. Constraints of universal criminal jurisdiction enforcement:

Since universal jurisdictions are intended to apply punishment and to pursue the offender without consideration of the preparatory or victim nationality, the place of the crime, and being present or arrested. This have actually made it difficult to apply, as several political and legal constraints are faced; for instance,

The principle of state sovereignty is linked to the principle of territorial jurisdiction of the criminal provision, which may impede the implementation the principle of universal criminal jurisdiction. Consequently, international criminal justice will not be achieved, since many States do not permit and/or hinder investigations on their territory even if they were international jurisdictions, and would rather be absolutely committed to sovereignty (Keshtah, 2014, p. 593-598). On the other hand, territorial cases' accumulation in national jurisdictions place a heavy burden on the national judge and on the State as a whole (Bouskia, 2018, p. The principle of universality of the criminal provision requires an inclusive understanding of entire laws, which makes is difficult to achieve especially in developing countries (Bouskia, 2018, p.111).

In addition, the increase of international criminality such as human trafficking, piracy, and money laundering besides the new methods used by criminals for impunity, as the changing of nationality, are the result of uncoordinated criminal legislation of countries and failure to address these serious scourges (Khelfi, 2017, p. 8).

In the same vein, the concept of international judicial cooperation is broad. It needs to be signed under the auspices of the United Nations (Khelfi, 2017, p. 8). The conflict between the International Criminal Court and the national judiciary can be seen in the case of Libya in the trial of former President Muammar Gaddafi's son. The international court held that the Libyan judiciary could not guarantee a fair trial but was revengeful, while the Libyan judiciary believed that it had the right to be territorially tried. This dispute may hinder the efficiency of international criminal justice system because of the lack of coordination and the absence of a clear view of the boundaries between the international justice and the national court, by virtue of the fact that the international criminal dumping has not yet been completed but it is increasingly evolving.

The problems have been about whether fair trial guarantees are observed either before international courts or national courts and the possibility of a double jeopardy due to arbitrariness or the States' non-recognition of the extraterritorial trial (Keshtah, 2014, p. 1). Furthermore, policy intervention has an impact on international justice. For example, policy force on the Security Council; an international political institution that expresses the will of States in the proceedings of the International Criminal Court, which is the highest permanent international criminal court. The policy intervention is represented in the suspension of the crimes' investigation proceedings for one year, in accordance with the provisions of article 16 of the Rome Statute, besides the ensuing interventions in the work of the court and its impacts on fair trial guarantees (Keshtah, 2014, p.7, pp.601–602).

Conclusion:

The principle of universal criminal jurisdiction is a fundamental technical and legal trick. Besides, it is a mean to converge between international criminal law and national law. This is to eradicate impunity and to suppress appalling crimes and to promote international criminal justice. The latter can be achieved by strengthening international judicial cooperation; however, it remains subject to the will of States to facilitate extradition between territories and to attain the implementation of international obligations. Additionally, international criminal justice is a complementary to the national justice jurisdiction because it forms the foundation. Hence, States must adapt their domestic laws to their obligations under international treaties so that the judge can apply laws provided in the constitution. This aims at establishing a strong international community based on fairness and humane justice, under the principle of legality and fair trial guarantees.

References:

- Al-Majzoub, M. (2004). Public International Law. (1st ED). Lebanon: Al-Halabi Human Rights Publications.
- Al-Eisi, T.Y., & Al-Hussainawi- A.J. (2009).The International Criminal Court: A Legal Study. (1st ED).Jordan: Al- Yazouri Scientific Publishing House.
- Al-Kasiri, R. (2020).The Principle Of Universal Jurisdiction. Retrieved from: <https://sl-center.org/?p=74>.
- Al-Rifai, A.A. (2006). International Jurisdiction. The Legal Books House.
- Al-Warqan, A.B.I.B.A. (2011). The Principle of Procedural Legitimacy in the Saudi Penal Procedures System: A Comparative Origins Study. PHD Thesis. Saudi Arabia: Naif Arab University for Security Sciences.
- Makhzoumi, O.M. (2019). International Humanitarian Law in the light of the International Criminal Court. Retrieved from: <http://daralthaqafa.com/item.aspx?itemid=532>.
- Boukirat, A. (2005). International Criminal Justice. Punishing the Perpetrators of Crimes Against Humanity. Ben Aknoun, Algeria: Office for University Publications.
- Bekeniche, O., & Qatawi, A. (2019). The Principle of Universal Criminal Jurisdiction as A Mechanism To Eliminate Impunity. International Law and Development, 07 (02).
- Bassiouni, M.CH. (2002). The International Criminal Court. Its Establishment and Its Statute (3rd Ed). Cairo: Rose Al-Yusuf Press.
- Bin Gharbi, A., & Khwail, B. (2016). The Principle of Universal Criminal Jurisdiction as A Mechanism for Prosecuting War Crimes. Algerian Journal of Legal and Social Sciences, 2 (1).
- Bensghier, A. (2019). Application of The Criminal Provision between Territorialism and Universality under Globalization and Fight Against Emerging Crimes. Journal of Legal and political Sciences, 10 (03).
- Tamarkhan Bakkah, S. (2006). Crimes Against Humanity Under The Provisions of The International Criminal Court Statute. Lebanon: Al-Halabi Human Rights Publications.
- Khalil, S.M. (2010). Crimes against Humanity and Genocide and Ways to Combat Them: A Study in Contemporary International Law. (1st Ed). Beirut, Lebanon: The Arab House of Encyclopaedias.
- Khelfi, A. (2014). Contemporary Research - Comparative Criminal Law A Modern View Of Criminal Policy. Ain M'lila, Algeria: Dar Al-Huda.

- Khelfi, A. (2017). General Criminal Law: Comparative Study. (1st Ed). Dar El Beida, Algeria: Dar Belkiss.
- Khalafi, S. (2008). The Principle of Universal Jurisdiction in International Criminal Law. M.Sc. Algeria: University of BenYoussef BenKhedda.
- Khalafi, S. (2014). International Jurisdiction of The Internal Criminal Courts for War Crimes, Genocide and Crimes Against Humanity. Ph.D Thesis. Tizi Ouzou, Algeria: University of Mouloud Mammeri.
- Serag, A.F. (2001). Principle of Complementarity in The International Criminal Court: An Analytical and Original Study. Egypt: Dar Alnahda Alarabia.
- Sorour, T. (2006). Universal Criminal Jurisdiction. (1st Ed).Cairo: Dar Alnahda Alarabia.
- Ghueskel, A. (2009).The International Criminal Court. M.Sc. Khanshla: University Center.
- Keddache, K. (2016). The Principle of Universal Jurisdiction and Its Role in The Protection Of Human Rights. M.Sc. Algeria: University of Batna 1.
- Mansour Al-Sawi, M. (n.d). International Law Provisions for Combating Crimes Of An International Nature. Egypt: University Press, Alexandria.
- Mahdi, A.R. (2002). Explaining The General Rules of Criminal Procedure. Egypt: Dar Alnahda Alarabia.
- Hissam, F. (2015). Criminal Responsibility for Israeli War Crimes In The Light Of The Principle Of Universal Criminal Jurisdiction. Journal of Human Rights And Science, 08 (10).
- Tamam, Y., Shawqi & Shubri, A. (2017). The Enactment Of The Principle Of Universality Of The Criminal Text In Dealing With Informational Crime. Journal of Jurisprudence, 15.
- Al-Rifai, A.A.A. (2006). International Jurisdiction. Cairo, Egypt: Legal Books House.
- Bouskia, A. (2018). A Review In The General Penal Code (17th ED). Algeria: Dar Al Houma for printing and publishing.
- Mane, J.A.N. (2009). Public International Law - Part Two. The National Arenas Of The State. Algeria: Science House for Publication and Distribution.
- Keshtah, N.H. (2014). The Principle of Universal Criminal Jurisdiction in The International Justice System Between Theory And Practice. Journal of The Islamic University Of Islamic Studies, 22 (02).
- Ben-Sheikh Aith Melouia, H. (2012). Public Penal Law Lessons. Algeria: Dar Al Houma for printing and publishing .
- Bailleux, A. (2005). La Compétence Universelle Au Carrefour De La Pyramide Et Du Réseau. Bruylant, bruxelles.
- Coppens, P. (2004). Compétence Universelle Et Justice Global In La Compétence Universelle, R.D.U 64, (2).
- Mary, R. (2001).The Princeton Principles on Universal Jurisdiction. Princeton:Princeton University Oress.
- Xavier, P.(2006).The Principles Of Universal Jurisdiction And Complementarity. Retrieved from: https://international-review.icrc.org/sites/default/files/irrc_862_9.pdf.
- Coppens, P. (2004). Compétence Universelle Et Justice Global In La Compétence Universelle. R.D.U, 64, (2)