

Article 5: Establishment of jurisdiction

5.1 As explained in paragraph 40 of the initial report, section 3 of the Crimes (Torture) Ordinance provides that the offence of torture is committed, whether the conduct constituting the offence is performed in Hong Kong or elsewhere. The nationality of the perpetrator or the victim is immaterial. The courts of the HKSAR have full jurisdiction over such offences in conformity with Article 5 of the Convention.