



Ministry of Justice

Dear Mr Egele,

Supporting the initiative on a new Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes against Humanity and War Crimes (“the Convention”), Sweden recognizes the efforts made to draft a Convention that will reinforce the international cooperation and help fight impunity for the most serious crimes of concern to the international community.

The aim of the Convention should be to create an effective legal framework on international cooperation that will provide help in the fight against impunity for the Crime of Genocide, Crimes against Humanity and War Crimes. In order to achieve that aim, the Convention must be focused on solving and removing existing obstacles in the international cooperation regarding investigation and prosecution of these serious crimes. Taking this into account, Sweden is of the opinion that the Convention should be focused on creating a legal basis for international cooperation in criminal matters, such as mutual legal assistance and extradition. From our point of view, we don't see any immediate need to include an obligation to criminalize the crimes in question as defined in a rather detailed manner nor rules on jurisdiction. On the contrary, we fear that the inclusion of such provisions would make the Convention less attractive, leading to fewer States being open for ratification. We are instead of the opinion that it

would be preferable to include a possibility to base the cooperation on dual criminality.

With this in mind, Sweden finds the proposal put forward by Switzerland interesting and a good way to create a legal basis for international cooperation on Crime of Genocide, Crimes against Humanity and War Crimes between States. We believe that a text in line with that proposal could be more appealing to a larger number of states and thereby create a Convention that better would serve as a tool in the fight against impunity for the most serious crimes of concern to the international community.

Thank you for your excellent work and for the opportunity to provide our comments.

Yours sincerely,

Cecilia Johansson

Deputy director

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