



Network for investigation and
prosecution of genocide, crimes
against humanity and war crimes

Conclusions of the 6th Meeting of the European Network of Contact Points for investigation and prosecution of genocide, crimes against humanity and war crimes

23-24 April 2009, The Hague

1. Recalling the duty of each country to fight against the impunity of the offenders of crimes of genocide, war crimes and crimes against humanity, and the principle of complementarity, the Members of the Network consider that judges, investigators and prosecutors in charge of the investigation of such crimes are facing challenges when investigating these crimes in a foreign country. Therefore, the Members of the Network deem it essential that such judges, investigators and prosecutors are provided with specialised training, taking account of in particular the geographical, historical, and cultural situation of the countries concerned, the applicable rules of international law and practical expertise on the collecting and taking of evidence in a foreign country.
2. The Members of the Network welcome and encourage the creation of specialised prosecuting and investigating units and of central authorities for cooperation in relation with the prosecution of crimes of genocide, war crimes and crimes against humanity.
3. The Members of the Network deem it essential to co-operate and exchange information and knowledge on ongoing cases, practical experience and best practices on the basis, where appropriate, of relevant European Union and international legislation within the Network, with third countries, international tribunals and organisations and other agencies. In this respect the creation of a comprehensive fiche containing information on ongoing investigations and the authorities in charge to be shared among the contact points of the Network should be considered at the next meeting of the Network.
4. European countries should continue to offer support and assistance to the Rwandan judicial authorities and judicial authorities of other post-conflict countries in order to avoid impunity of the perpetrators of crimes of genocide, crimes against humanity and war crimes. The Members of the Network emphasize that legal assistance from Rwandan authorities and judicial authorities of other post-conflict countries is essential for successful prosecution.
5. The Members of the Network deem it essential to ensure interdepartmental cooperation, including with Foreign Affairs, Immigration and Border Services and with intergovernmental agencies.
6. The Network recognises the importance of collaboration with other judicial or prosecutorial networks such as European Judicial Network (EJN) or International

Association of Prosecutors (IAP) in order to maximise its effectiveness and scope in particular through liaison with the respective Secretariats.

7. The Members of the Network welcome the information provided by the International Criminal Court (ICC), and by the ad hoc tribunals and the Special Court for Sierra Leone on their respective completion strategy including the putting in place of the respective residual mechanisms, and expressed the need that archives are readily accessible by national prosecutors.
8. The efficient identification and calling on the witnesses is recognised as an important element in the process of prosecution of crimes of genocide, crimes against humanity and war crimes. Protection of victims and of witnesses in crimes of genocide, crimes against humanity and war crime cases is still a priority issue in order to safeguard life and health of such persons, to prevent them from further victimisation and in order to ensure that perpetrators of crimes of genocide, crimes against humanity and war crimes are brought to justice. To that end, it is necessary to take adequate measures to protect witnesses and victims.
9. The Members welcome the new development brought by the Council Decision of 18 December 2008 amending the Eurojust Decision providing for the establishment of a permanent secretariat of the Network. The Members deem it essential that the permanent Secretariat should be a separate unit able to draw from the administrative and financial resources of Eurojust with a view to ensuring stability and continuity for the Network.
10. The Network recognises the importance of regular contacts among the contact points as well as regular meetings at least twice a year to share experiences in the investigations and prosecutions of crimes of genocide, crimes against humanity and war crimes. Further, whenever necessary, additional meetings on specific topics could be convened on an ad hoc basis.
11. The Network appreciates the valuable contributions of NGOs to the investigation and prosecution of crimes of genocide, crimes against humanity and war crimes, in particular by gathering and sharing of information and identifying potential witnesses and victims of such crimes.