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NOTE

From:	Slovenian Delegation
To:	Council
Subject:	Diplomatic Conference for the Adoption of the Convention on International Cooperation in the Investigation and Prosecution of Genocide, Crimes against Humanity, War Crimes and other International Crimes (MLA Convention) (Ljubljana, 15 to 26 May 2023)
	- Information from Slovenia

Delegations will find attached an explanatory note by the SI delegation on the above-mentioned subject.

Diplomatic Conference for the Adoption of the Mutual Legal Assistance (MLA) Convention

(Ljubljana, 15 to 26 May 2023)

Explanatory note

From 15 to 26 May 2023 Ljubljana hosted the MLA Diplomatic Conference for the negotiations and adoption of the Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes against Humanity, War Crimes and other International Crimes.

53 Supporting States participated in the conference and 15 States attended as observers.

7 international organisations and 10 civil society organisations also participated.

During the Diplomatic Conference a high-level event was organised by the Genocide Network to mark the 8th EU Day against Impunity.

As a result of the deliberations in the Plenary, the Working Groups and the Drafting Committee, the Conference at its 18th plenary meeting on 26 May 2023 adopted the Ljubljana – The Hague Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes against Humanity, War Crimes and other International Crimes.

The MLA Initiative for the adoption of this new international instrument was led by Argentina, Belgium, Mongolia, the Netherlands, Senegal and Slovenia, with the aim to close the impunity gap by enabling cooperation between State parties and overcoming the existing challenges that impede effective cross-border investigations and prosecutions.

The new Convention provides for the missing link in common international cooperation. In significantly enhancing the capability of State Parties to exercise their primary responsibility to deal with international crimes, it will help deliver justice to victims of genocide, crimes against humanity and war crimes and significantly decrease impunity of perpetrators of international crimes.

By promoting and establishing international cooperation in investigation and prosecution of crimes of genocide, crimes against humanity, war crimes and other international crimes, the new Convention will present a global common framework which will facilitate the exchange of information, evidence, and expertise between States. The Convention will streamline procedures and harmonise legal standards, reduce bureaucratic hurdles and provide a framework for effective cross-border collaboration.

By enhancing States' ability to investigate and prosecute international crimes, the Convention will reinforce the notion that justice should be primarily sought at the national level, while complemented by international mechanisms only when necessary.

The Convention is consistent with the Rome Statute of the International Criminal Court (ICC) and international law obligations of the States. It will therefore strengthen the existing international criminal law principles, including the principle of complementarity to the ICC.

Participating States can submit any linguistic comments to the text of the Convention to the Depositary of the Convention (Belgium) until 31 July 2023.

The Ljubljana - the Hague Convention is scheduled to be open for signature in the first third of 2024 in the Hague, after the final revision of the text.