

Brussels, 19 June 2025
(OR. en)

9684/25

COPEN 155
EUROJUST 17
ENFOPOL 183
COHOM 83
JAI 725

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Conclusions of the 37th meeting of the Network for investigation and prosecution of genocide, crimes against humanity and war crimes (Genocide Network) (Eurojust, The Hague, 9-10 April 2025)

Delegations will find attached the above-mentioned conclusions.



Conclusions of the 37th Meeting of the Network for Investigation and Prosecution of Genocide, Crimes against Humanity and War Crimes

The Hague
9–10 April 2025

1. The Polish Presidency of the Council of the European Union and the European Network of Contact Points for the investigation and prosecution of genocide, crimes against humanity and war crimes ('Network') reiterated the importance of the Network as a forum for practitioners to exchange information, facilitate cooperation and enhance national investigations and prosecutions for the crime of genocide, crimes against humanity and war crimes (core international crimes).
2. The Network members expressed their gratitude towards the Polish Presidency of the Council and the Network Secretariat for organising the meeting, which allowed for hands-on operational exchanges. The Network was once again appreciative of the dedication demonstrated by all participants, with approximately 150 contact points attending the meeting in person at the European Union Agency for Criminal Justice Cooperation (Eurojust) in The Hague, the Netherlands.
3. Based on the proposal from the Network Secretariat, the Network plenary adopted a new visual identity and official logo for the Network, and approved the change of its short name to "Genocide Prosecution Network". The new visual identity and official logo are annexed below.
4. The Network members welcomed to the meeting an Iraqi delegation, represented by the Head of the National Center for International Judicial Cooperation in Iraq. The Network was particularly grateful for the presentation of the work led by the National Center, which aims to ensure the continuity of evidence collection, documentation and archiving following the conclusion of the mandate of the Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL (UNITAD) in September 2024. The National Center expressed its commitment to ensuring accountability for Da'esh crimes. The Network members expressed interest in exploring avenues for judicial cooperation with Iraqi authorities, specifically in relation to the access to UNITAD's evidentiary holdings, in view of numerous ongoing investigations and prosecutions relating to foreign terrorist fighters.
5. The Open Session of the meeting was dedicated to the legal definition of the crime of genocide and its historical origins, constitutive elements and contemporary developments. The Network members followed this session with interest, noting its relevance with regard

to various situations of interest for EU national authorities, such as crimes committed by ISIL/Da'esh in Iraq and Syria, and the ongoing conflicts in Gaza, Myanmar and Ukraine. The Network members valued the opening intervention on the development of the constitutive elements for the crime of genocide, which tackled contentious legal issues for practitioners. The members took note of key challenges concerning the 'special intent' (intent to destroy a protected group in whole or in part) required to prove genocide, and the articulation with international humanitarian law when genocide occurs in the context of armed conflict. Further, the notion of 'destruction' of a group may encompass, in the predominant interpretation, physical or biological destruction of the group. However, the concept of cultural or social annihilation of a group, for instance due to forced displacement, may be more reflective of modern genocidal methods.

6. The Network members were highly interested in the presentation of recent convictions in Germany and Sweden for genocide committed against the Yezidi community in Iraq and Syria. Exchanges underlined the legal and factual complexity to proving 'special intent', as well as key findings of national courts regarding underlying acts of genocide. For instance, sexual violence and enslavement may qualify as serious bodily or mental harm for the purpose of charging genocide. The Network members commended the work of the Swedish judicial authorities, which led to the first cumulative conviction for crimes against humanity and genocide in Sweden. The members further noted that this case, which marks the first national genocide conviction based on the underlying act of forcibly transferring children from one group to another group, may set important jurisprudence for future cases on similar charges in other EU Member States and beyond.

7. The Network members were also grateful for the presentation by Ukrainian authorities outlining the steps taken to develop a prosecution strategy for the crime of genocide. They valued the concrete examples provided on methods for collecting, organising and analysing evidence to establish the intentional and material elements for this crime. They also took note of inherent challenges, stemming both from the current context in Ukraine and the complex nature of investigations and prosecutions related to genocide. Such challenges include the need to collect dispersed evidence, such as materials from the media and public sources that may be relevant to indicate the existence of special intent; the necessity for a dedicated analytical tool to process large volumes of data; and the need for specialised expertise on the crime of genocide.

8. The Network members expressed interest in the insights shared by the Office of the Prosecutor of the International Criminal Court on its practice and policy regarding the crime of genocide. They valued delving into the specificities of the legal framework enshrined in the Rome Statute and, as prescribed by the Elements of Crimes, the necessity to prove that the conduct took place 'in the context of a manifest pattern of similar conduct directed against that group or was conduct that could itself effect the destruction of the

group'. They also took note of the prosecutorial strategy implemented by the Office with regard to case selection, charging and cooperation. Similarly, the Network members recognised the challenges and opportunities highlighted by the UN Independent Investigative Mechanism for Myanmar (IIMM) concerning the crime of incitement to genocide. While the current social media landscape poses challenges for investigators in identifying the individual(s) orchestrating online hate speech campaigns, it may also offer opportunities for enhanced monitoring and early detection of actions that may serve as precursors to genocide. Further, national authorities have the opportunity to access and preserve broad evidence of hate speech on an unprecedented level, which can support incitement cases.

9. The Network members took note of the contribution of Amnesty International, presenting its research and analysis in relation to the organisation's recent report on genocide in Gaza. Its findings stress the applicable legal framework under the 1948 Genocide Convention in the context of State responsibility, including the jurisprudence of the International Court of Justice on the definition of 'special intent'. The Network members further took note of the report's key legal findings and recommendation to national authorities to pursue accountability for any alleged crimes.

10. The Network welcomed the intervention of the French delegation, presenting their work on coordinating suspect tracking in relation to ongoing national investigations into alleged core international crimes committed by the former Syrian regime, and calling for the contribution of civil society organisations on this matter.

11. The Network members acknowledged the publication of the latest edition of the *Universal Jurisdiction Annual Review* (2025) and welcomed remarks from the civil society organisations remarks to avoid double standards in the investigation and prosecution of core international crimes across the globe. The civil society organisations represented in the Network invited all national authorities to proactively engage with them and offered support in various ways, stemming from legal expertise to advocating for policy reforms to promoting judicial cooperation tools such as the Ljubljana–The Hague Convention.

12. The Network members shared their appreciation for the work of the Network Secretariat in support of the Network and followed with interest the updates shared on its past and ongoing activities. They noted that as of April 2025, the Network Secretariat would become the depositary of the list of Network contact points, previously collated and maintained through the General Secretariat of the Council of the European Union.

13. Lastly, the Network members and Observer States were grateful for the organisation of the Closed Session, which provided a confidential environment for valuable exchanges of best practices and information on ongoing proceedings.

Annex

New visual identity and logo of the Network for Investigation and Prosecution of Genocide, Crimes against Humanity and War Crimes

