


Procedure file

Basic information	
CNS - Consultation procedure Decision	2001/0826(CNS) Procedure completed
Judicial cooperation : genocide, crimes against humanity and war crimes, European network. Initiative Netherlands	
Subject 6.10.08 Fundamental freedoms, human rights, democracy in general 7.40.04 Judicial cooperation in criminal matters	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	PPE-DE KIRKHOPE Timothy	21/11/2001
Council of the European Union	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA)	2436	13/06/2002

Key events			
01/10/2001	Legislative proposal published	11658/2001	Summary
22/10/2001	Committee referral announced in Parliament		
20/02/2002	Vote in committee		Summary
20/02/2002	Committee report tabled for plenary, 1st reading/single reading	A5-0036/2002	
08/04/2002	Debate in Parliament		
09/04/2002	Decision by Parliament	T5-0149/2002	Summary
13/06/2002	Act adopted by Council after consultation of Parliament		
13/06/2002	End of procedure in Parliament		
26/06/2002	Final act published in Official Journal		

Technical information	
Procedure reference	2001/0826(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation

Legislative instrument	Decision
Legal basis	Treaty on the European Union (after Amsterdam) M 034-p2; Treaty on the European Union (after Amsterdam) M 031
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/15297

Documentation gateway

Supplementary legislative basic document	11587/2001	05/09/2001	CSL	Summary
Legislative proposal	11658/2001 OJ C 295 20.10.2001, p. 0007	01/10/2001	CSL	Summary
Committee report tabled for plenary, 1st reading/single reading	A5-0036/2002	20/02/2002	EP	
Text adopted by Parliament, 1st reading/single reading	T5-0149/2002 OJ C 127 29.05.2003, p. 0028-0130 E	09/04/2002	EP	Summary

Additional information

European Commission	EUR-Lex
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Final act

Decision 2002/494 OJ L 167 26.06.2002, p. 0001 Summary

Judicial cooperation : genocide, crimes against humanity and war crimes, European network. Initiative Netherlands

This document consists of a note from the Permanent Representative of the Netherlands to the Secretary-General of the Council. In particular, this note presents an amended version of the Dutch initiative which aims to create a European network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes. This document specifies precise details of the contacts point's primary tasks (collect and manage information) as well as other pieces of information to be supplied at the time of a request by one or other of the Member States in the framework of the investigation. Lastly, this new version also clarifies the use of the information collected within the framework of the network.?

Judicial cooperation : genocide, crimes against humanity and war crimes, European network. Initiative Netherlands

PURPOSE : to present an initiative from Netherlands with a view to the adoption of a Council Decision setting up a European network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes. CONTENT : the Rome Statute of the International Criminal Court of 17 July 1998 affirms that the most serious crimes of concern to the international community as a whole, in particular genocide, crimes against humanity and war crimes, must not go unpunished and that their effective prosecution must be ensured by taking measures at the national level and by enhancing international cooperation. This proposal states that each Member State shall designate a contact point for the investigation of genocide, crimes against humanity and war crimes. Each contact point's primary task shall be to collect and manage information on the aforementioned crimes in the framework of their investigation. Member States shall ensure that contact points exchange, spontaneously or on requests, any available information that may be relevant to the investigation of such crimes, in accordance with their national powers. Each request made under this Decision shall be accompanied by a brief statement of the relevant facts known to the requesting contact point. The contact point shall specify in the requests how the information sought will be used. ?

Judicial cooperation : genocide, crimes against humanity and war crimes, European network. Initiative Netherlands

The committee adopted the report by Timothy KIRKHOPE (EPP-ED, UK) approving the proposal under the consultation procedure subject to just a few amendments. It stipulated, for example, that the contact points should be an office within the police or justice departments and could be existing contact points for cooperation in other criminal matters. It also said that police cooperation should be subject to adequate political

and judicial control in the Member States, and details of the contact points should be publicly available. Furthermore, information on the network of contact points should be provided to the European Parliament for its annual debate on police and judicial cooperation in criminal matters. Lastly, the committee was concerned to ensure that closer cooperation between police forces was not detrimental to fundamental human rights. It therefore stipulated that a contact point could refuse to divulge information not only on the grounds that such information could impair a criminal investigation, as stated in the proposal, but also on the grounds that it could prejudice an individual's rights of defence. ?

Judicial cooperation : genocide, crimes against humanity and war crimes, European network. Initiative Netherlands

The European Parliament adopted the resolution drafted by Timothy KIRKHOPE (EPP-ED, UK). (Please refer to the document dated 20/02/02.) In addition, Parliament stipulated that the Council must publish details of the contact point in the Official Journal of the European Communities.?

Judicial cooperation : genocide, crimes against humanity and war crimes, European network. Initiative Netherlands

PURPOSE : to set up a European network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes. **COMMUNITY MEASURE :** Council Decision 2002/494/JHA setting up a European network of contact points in respect of persons responsible for genocide, crimes against humanity and war crimes **CONTENT :** the Rome Statute of the International Criminal Court of 17 July 1998 affirms that the most serious crimes of concern to the international community as a whole, in particular genocide, crimes against humanity and war crimes, must not go unpunished and that their effective prosecution must be ensured by taking measures at the national level and by enhancing international cooperation. This Decision states that each Member State shall designate a contact point for the exchange of information concerning the investigation of genocide, crimes against humanity and war crimes. In addition, each contact point's task shall be to provide on request, in accordance with the relevant arrangements between Member States and applicable national law, any available information that may be relevant in the context of investigations into genocide, crimes against humanity and war crimes or to facilitate cooperation with the competent national authorities. The Council will inform the European Parliament of the functioning and effectiveness of the European network of contact points in the context of the annual debate held by the European Parliament pursuant to Article 39 of the Treaty. Member States shall ensure that they are able to cooperate fully in accordance with the provisions of this Decision at the latest one year after this Decision takes effect. This Decision shall take effect on the 13 June 2002.?