The Nordic countries Denmark, Finland, Iceland, Norwayd Swedercommend the work of the International Law Commission (2019), which at its 71st Session (2019) adopted the

jurisdictionsand, as recognized in the preamble, it is the duty of every State to exercise its criminal jurisdiction with respect to crimes against humanity

The Nordic countries agriffed the effective prosecution of such crimmest be ensured by taking measures at the national level and by enhancing international cooperation, including with respect to extradition and mutual legal assistive mediate that the elaboration of a convention, on the basistone articles, would constitute a valuable contribution to this effect

The Nordic countries also welcome the reference to the rights of victims, witnesses and others in relation to crimes against humanity, as well as the right of alleged offenders to fa treatment.

The Nordic countries consider that Article 1 contributless to clarity and certainty regards the scope of the articTetse provision clarifes that the draft articles have two overall objectives: the prevention and the punishment to the punishment humanity is highlighted by the presenting of Td ()Tj 70 -1.288 TD [(o)c0.5 (t)-9 8 (t)-9 (yT0a0 Tw 1.01 0 42 Tc 0.002.8 (i)-2e 4 (p)-2.6 (e)0.5 (8.654 -1.298 Td [(t)0.5R6 38 (p)-2.6 (s)-3.4 (h)-)0. S(a)-0.8 (r)-6.a(s)-35.7 (b)6.6 (i)-4.7 (a)-0.8 (r)-2.6 (e)0.5 (r)-6.a(s)-35.7 (b)6.6 (r)-4.7 (a)-0.8 (r)-2.6 (r)-6.a(s)-35.7 (b)6.6 (r)-4.7 (a)-0.8 (r)-6.8 (r)-6.a(s)-35.7 (b)6.6 (r)-4.7 (a)-0.8 (r)-6.8 (r)-6.8

"acts that "constitute" crimes against humanity be attributable to States under the rules of State responsibility.

The Nordic countries welcome the clarification rticle 3, paragraph & upported by treaty practice, jurisprudence, and wetlled acceptance by States trimes against humanity are crimes under international lawn that be prevented and punished whether or not committed in time of armed conflict, and whether boriminalized under national lawn to a support of the conflict of

The Nordic countries so welcome clarification in Article 3 paragraph 3 that no exceptional circumstances whatsoever may be invoked as a justification of crimes against humanity.

The Nordic countries so support Article 4 and thus there operationalisation of the obligation to preventrimes against humanity conformity with international law. We reiterate that international efforts to eliminate these horrendous crimes can only be successful if a future convention devotes sufficient attention to prevention to prevent



The Nordic countries onsider the legal obligation in Article agraph pertaining to criminalization under national browse of critical importance/we welcome in this regard also paragraph 5 which provide the official position of the alleged perpetrator is not a ground for excluding criminal responsible note, as clarified by commentaries of the ILC, that this paragraph has no effect on any procedural immunity that a foreign State official may enjoy before a national criminal jurisdiction, which continues to be governed by conventional and customary law. We equally note that Article 7 of the ILC Draft Articles on Immunity of State officials from foreign criminal jurisdiction states that immationity materiaschall not apptal 2.6 ().7 (a)-0.8 (t)0.5 ()-9.6 (a)-0.8 (f)-6.5e-1 (f)-5 (T.2 (n)-at)-2 (eg)-0.9

provided for in national lawa(ragraph)3 In the latter regard, the Nordic countsites the widely held viewhat under international law, crimes against humanity give rise to universal jurisdiction.

Article 8 clarifies that investigations must be pronopt, th

As regards Article 13, paragraph 11, the ILC commentary points out that this paragraph may strictly speaking not be necessary for an extradition occurring solely pursuant to the present articles. The Nordicountrieshowever, gree with the ILC that paragraph 11 enhances the articles in terms of extradition pursuant to extradition treaties or national law, since this will help prevent extradition requests made on impermissible grounds.

With regards to Article 13, paragraph 13, the Nordic countries prefer the wording "where appropriate" to be used in connection with the obligations for requested States to consult. That wording would be in line with the commentaries of the draft articles as well as previously accepte anguage from other relevant treaties.

Article 14, paragraph 8, on the application of the Annex, helps close any potential gaps in terms of mutual legal assistance. Notably, point two of the Annex, on the designation of a central authority, strengtheffsetive communication between States and allowsetedy and effective cooperation.

The Nordic countries elcomethat the Ljubljana The Hague Mutual Legal Assistance and Extradition (MLA) Convention adopted at the 18th Plenary Session of the MLA Diplomatic Conference in Ljubljana on 26 May 2023 MLA Convention more detailed and covers mutual legal assistance on more than crimes against humanithe where as the present taicles is more concide our view the two processes use fully plement each other in the fight against impunity at international level

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the prevention and punishmentaimes against humanity						
balance an <b>d</b> haylay a	good foundation for u	niversal m	embersl	hip of a fut	ure co <b>nvoe</b> n	ntio
The Nordic countrie	s consider that Article	15 on the	settleme	ent of dispu	utes strikes	a carefu

for in Article 19(2) of the Charter of Fundamental Rights of the Europeanablehians reflected in the jurisprudence of the European Cost of Human Rights

The Nordic countries trach great importance to due process considerations, which are particularly pertinent in the context of criminal Wavewelcome the broad scope of ficle 11, which concerns the fair treatment of any persein stowhom measures are being taken at all stages of the proceed in the proceeding investigation to imprisonment.

We agree that analoged offender shall at all stages of the proceedings be guaranteed fair treatment and full protection of his or her rights under applicable national and international law, including international human rights law, as reflectivities 11. As we have previously state the right to a fair trial is a key element of fair treatanteent procedural means to safeguard the rule of law.

The Nordic countries welcome Article Waichaddresses the rights of victims, witnesses and other persons affected by the commission of a crime against humanity. We reiterate that victims and survivorare at the heart of international criminal justice and ayelcome, in this regard, ictantctmeiems crighes us 5 (r)-4..4 (m)-0.2 (e)2.6 (i)-.1 (n)-0.6 (a)1.1 (n)-0.5 (r)-4..4.