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Ms Carla Ferstman
Redress
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Reference: T17758/15

Dear Ms Ferstman,

Thank you for your letter of 12 November 2015 regarding the UK's involvement in 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") and Council Decision 2003/335/JHA ("The investigation and prosecution of genocide, crimes against humanity and war crimes".)

I note your concerns regarding the UK's decision not to opt back in to these Council Decisions. You have asked that the UK opt back into Council Decision 2002/494/JHA so that UK practitioners can continue to participate in the European Genocide Network (EGN).

As you are aware both Council Decisions to which you refer were part of a wider set of justice and home affairs measures from which the coalition Government decided to opt out. The background regarding the decision to opt out of these measures can be found in Command Papers 8671 ("Decision pursuant to Article 10 of Protocol 36 to The Treaty on the Functioning of the European Union") and 8897 ("Decision pursuant to Article 10(5) of Protocol 36 to The Treaty on the Functioning of the European Union") at www.gov.uk/government/publications.

There is no intention to rejoin Council Decision 2002/494/JHA currently. The Home Office remains committed to supporting the investigation and prosecution of those suspected of crimes covered by both Council Decisions (and engages regularly with practitioners on international cooperation matters related to these crimes). However, no compelling evidence has been presented to the Government that the EGN delivers any practical benefits to the UK, and it is believed that the wider European Judicial Network (EJN) is a more useful tool for practitioners to exchange information, experience and expertise.

Whether UK law enforcement or prosecutors seek or take part in EGN meetings as observers is a matter to be taken by those organisations.

I hope this clarifies the position on these measures.

Yours sincerely

D. Bradshaw

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