

Meeting of the G7 Justice Ministers

Berlin Declaration

We, the Ministers of Justice of Canada, France, Germany, Italy, Japan, the United Kingdom and the United States of America, met in Berlin today with the Minister of Justice of Ukraine, the EU Commissioner for Justice, the Prosecutor of the International Criminal Court, the Prosecutor General of Ukraine and the Federal Public Prosecutor General of Germany. We assured the Minister of Justice of Ukraine of our unwavering solidarity.

We condemn in the strongest terms Russia's war of aggression against Ukraine. The Russian Federation is blatantly violating international law, in particular the UN Charter; we also condemn in the strongest terms the ongoing attacks, the killing and wounding of civilians, non-combatants and prisoners of war, the disappearance of children, the systemic targeting of critical infrastructure and the extensive harm to healthcare personnel and facilities, as well as conflict-related sexual and gender-based violence in Ukraine. There can be no impunity for war crimes and other atrocities. Criminal prosecution of core international crimes is of the highest priority to us.

We welcome the work of the Prosecutor General of Ukraine and also national public prosecutors of states that are able to establish jurisdiction over such crimes under national law and the Prosecutor of the International Criminal Court, as authorized on Ukrainian territory by the Government of Ukraine, that are making every effort to secure and analyse evidence and to combat impunity for such crimes. It is our common goal to establish the responsibility of offenders in proceedings conducted in compliance with the rule of law and due process to achieve maximum accountability and to deliver justice for victims and survivors. We remain steadfast in our shared commitment to achieving this goal.

We confirm our continued effort to support Ukrainian judicial authorities.

In order to further improve effective investigations of the crimes committed in the course of Russia's aggression and to facilitate cross-border cooperation under applicable international and national law among the investigating authorities of these international crimes, it is important that the authorities of various states contact each other quickly and expediently. We will therefore ensure there is a central national contact point in each state for the

prosecution of these international crimes, if none currently exists, and share the contact details with our partners to provide an easily accessible entrance for international coordination.

Investigations need to be coordinated from an early stage. This will further help our investigating authorities to proceed efficiently, avoid duplication of work and the re-traumatisation of victims and witnesses, and prevent gaps in the investigations. To this end, we will endeavor to increase the use of existing and proven mechanisms in accordance with their respective mandates. For example, the Genocide Network will continue to be used as a network of national contact points to facilitate the exchange of information on investigations into war crimes, crimes against humanity and genocide. The European Judicial Network (EJN), as a network of contact points facilitating cross-border judicial cooperation, will also be leveraged. Another example is Eurojust: Thanks to the recent extension of its prerogatives to allow the preservation, analysis and storage of evidence relating to genocide, crimes against humanity, war crimes and related criminal offences, Eurojust can support national and international investigations. It is also important to coordinate cooperation between the International Criminal Court and national investigating authorities where possible, pursuant to existing national laws and obligations.

We recognise the valuable contribution by non-governmental organisations (NGOs) to the investigation of core international crimes. They are often present at the scene of the crimes and enjoy a high level of trust among the affected population. We are grateful for the untiring commitment of their staff in carrying out research work, documenting crimes and helping victims and survivors. From that perspective, we commit to improving the dialogue among criminal prosecution authorities and NGOs, where appropriate, in order to further contribute to promoting the exchange of information and – where necessary – to improve standards in collecting evidence, avoid re-traumatisation of victims, witnesses and survivors, and meet Ukrainian legal obligations when acting inside Ukraine. To reduce these risks, we commit to leveraging existing tools and resources that provide guidance in this area. As part of the follow-up to this meeting, we have decided to ask the Roma-Lyon Group experts to examine how they could contribute to resolving any of the possible challenges that our national prosecution and investigative authorities have identified with NGOs as appropriate.

With regard to the important role of victims and witnesses in the investigation of core international crimes it is crucial to address their needs and to seek justice for what they have endured. Therefore, we intend to intensify our exchange of best practices in working with such victims and witnesses during the investigations. In addition, we will continue to strengthen cooperation with and support to the Ukrainian authorities with regard to assisting such victims and witnesses.