

Discrepancies in Authentic Text Versions - Ljubljana - The Hague Convention

The Core Group has been made aware of some discrepancies in the English, French, and Spanish authentic text versions of the Ljubljana - The Hague Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes against Humanity, War Crimes and other International Crimes. The discrepancies include the ones identified in the table below. Subsequent to the signing ceremony of the Convention on February 14, 2024, the Core Group States that will then have signed the Convention will identify the discrepancies in the three authentic text versions and the Depositary will initiate a correction procedure pursuant to Article 79 of the Vienna Convention on the Law of Treaties.

Identified Discrepancies

Article(s)	Final doc. English (EN)	Final doc. French (FR)	Final doc. Spanish (ES)	Discrepancy
8-3	... a competent international criminal court or tribunal.	... à une cour ou à un tribunal pénal international compétent dont il a <u>reconnu la compétence</u> a una corte o tribunal penal internacional <u>cuya competencia haya reconocido</u> .	Only the FR and ES authentic text versions now include a reference to a competent international criminal court or tribunal "of which the competence has been recognised".
37 (Title)	Safe conduct	Immunité	Salvoconducto	Difference in meaning.
37-2-A	- Safe conduct - State Parties <u>concerned</u> - the judicial authorities <u>of the requesting State Party</u>	- immunité - les Etats parties - les autorités judiciaires	- salvoconducto - los Estados Partes <u>concernidos</u> - las autoridades judiciales <u>del Estado Parte requirente</u>	- Difference in meaning. - Only the EN and ES versions include "concerned". - Only the EN and ES versions include: "of the requesting State Party".
42-2	may be	sera	se encomendara	Difference in meaning between the FR and ES versions compared to the EN version (may vs. shall).
45-3; 45-4; 45-5	shall be	peuvent être	podrán ser	Difference in meaning between the FR and ES version compared to the EN version (shall vs. can be vs. may be).
67-5	shall consider	il considère	podrá considerar	Difference in meaning between the FR and ES versions compared to the EN version (shall consider vs. consider vs. may consider).
68-2	... has expressed an interest to the <u>sentencing State Party</u> in being transferred under this Convention a exprimé à l' <u>État partie de condamnation</u> le souhait d'être transférée en vertu de la présente Convention hubiere expresado en el Estado Parte <u>Sentenciador</u> su deseo de ser trasladada <u>al Estado Parte Sentenciador</u> en virtud de la presente Convención ...	The ES version contains an extra "transferred to the <u>sentencing State Party</u> ", compared to the EN and FR versions.