

# ASSER INSTITUTE

*Centre for International & European Law*



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The Hague, 22 March 2018

Dear Ms. Kaag,

I value the opportunity to contribute to the discussion. Please see enclosed my response to the open consultation on 'Vernieuwd Beleid Buitenlandse Handel en Ontwikkelingssamenwerking'. I specifically address question 1 in my submission.

Best regards,

Dr. Marta Bo



*Question 1: How can the Netherlands (the government, the private sector, social enterprises, civil society and knowledge institutions) achieve more results on the following themes: conflicts and instability, reception in the region and emergency aid?*

It is well-recognised that peace and justice go hand in hand, while prosperity, fair trade, and international cooperation cannot last without peace. Indeed, according to Goal 16 of the Sustainable Development Goals *'business thrives in peaceful environments with effective institutions where operating costs are predictable and working environments are stable'*. Trade levels after major episodes of violence, for example, take on average 20 years to recover, according to the World Bank

Of crucial importance in this context is strengthening the capacity of domestic actors to conduct effective prosecutions. In post-conflict societies, this decreases the desire for vengeance among populations who have been victims of massive crimes. It also promotes civic trust by reaffirming equality before the law and stressing the relevance of state institutions, which is crucial for a post-conflict society to break from the cycle of violence. As a result, judicial capacity building activities contribute positively to political reconstruction, societal stability, and economic growth. It is under these conditions that international trade flourish and that partnerships for international cooperation last.

In (post-) conflict situations, often international crimes, such as war crimes, will be committed. However, one can identify an increasing overlap with transnational crimes, such as terrorism, money laundering, arms smuggling, human trafficking and illegal drug trafficking. These crimes, which transcend international borders and disturb international trade, result in great harms to the social and economic order.

Given this overlap and the impact these crimes can have on societal trust and the economic situation of a country or region, capacity building trainings on international criminal law *and* transnational criminal law are therefore of the utmost importance.

As stated, this work supports SDG16 (Peace, Justice and Strong Institutions) since through intensive training, a stronger, more effective and competent judiciary can be built. Delivering justice for past atrocities through the rule of law is fundamental to reducing violence and preventing the commission of crimes as well as to maintaining a lasting peace.