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الجمعية العامة  
مجلس الأمن



مجلس الأمن  
السنة التاسعة والسبعون

الجمعية العامة  
الدورة الثامنة والسبعون  
البند 31 (أ) من جدول الأعمال  
منع نشوب النزاعات المسلحة: منع نشوب النزاعات المسلحة

رسالة مؤرخة 19 نيسان/أبريل 2024 موجهة إلى الأمين العام ورئيسة مجلس الأمن من  
الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

بالإشارة إلى رسائل المؤرخة 13 آذار/مارس 2023 (A/77/799-S/2023/193) و 25 آب/أغسطس 2023 (A/77/1006-S/2023/627) و 1 آذار/مارس 2024 (A/78/808-S/2024/230) فيما يتعلق بالعمل الإرهابي الذي وقع في 26 أيلول/سبتمبر 2022 على خطي أنابيب الغاز نور ستريم 1 و 2 في بحر البلطيق، أود أن أبلغكم بما يلي.

كما أبرزت في رسائلي السابقة، لقد رفضت ألمانيا والدانمرك والسويد دون أي تفسير معقول جميع المقترحات التي قدمها الاتحاد الروسي للتعاون من أجل التحقق من الظروف المحيطة بهذا العمل الإرهابي وتحديد المسؤولين عنه. ورفضت سلطات هذه الدول، تحت بعض الذرائع المصطنعة، تقديم المساعدة القانونية التي طلبها مكتب المدعي العام للاتحاد الروسي ودائرة الأمن الاتحادية للاتحاد الروسي، ورفضت طلبات السلطات الروسية المختصة الداعية إلى إنشاء أفرقة تحقيق مشتركة. وعلاوة على ذلك، تجاهلت هذه البلدان النداء الذي وجهه رئيس حكومة الاتحاد الروسي، ميخائيل ميشوستين، بشأن مشاركة ممثلي السلطات التنفيذية الاتحادية الروسية المختصة وشركة غازبروم المساهمة العامة المشتركة. وكل هذه الوقائع موثقة توثيقاً جيداً، وقد عُممت في المجلس كمرفق لرسالتنا المؤرخة 13 آذار/مارس 2023 نسخ من الرسائل ذات الصلة بالموضوع التي جرى تبادلها بين سلطات الاتحاد الروسي وألمانيا والدانمرك والسويد.

وبالإضافة إلى ذلك، أرسلت السلطات المختصة في الاتحاد الروسي في 23 آب/أغسطس 2023 طلبات إضافية إلى ألمانيا والدانمرك والسويد بشأن تقديم المساعدة القانونية، مشيرة إلى التزامات الدول الثلاث بموجب الاتفاقية الدولية لقمع الهجمات الإرهابية بالقنابل المؤرخة 12 كانون الثاني/يناير 1998 والاتفاقية الدولية لقمع تمويل الإرهاب المؤرخة 9 كانون الأول/ديسمبر 1999. وفي 18 أيلول/سبتمبر



2023، أُرسِل طلب مماثل إلى سويسرا. غير أن الدول المذكورة أعلاه رفضت تلك الطلبات أيضا دون أي مبررات معقولة.

وعلاوة على ذلك، كما أبرزنا في رسالتنا المؤرخة 1 آذار/مارس 2024، وخلافا لادعاءات المستمرة لبعض أعضاء المجلس بشأن التحقيقات الوطنية "الفعالة والشاملة" في العمل الإرهابي المعني بالأمر، التي أجرتها السلطات المختصة في الدول الأوروبية، إن تحقيقات سلطات الدانمرك والسويد قد انتهت بالفعل دون التوصل إلى أي نتائج تحت ذرائع غامضة مفادها أنه "لا توجد أسباب" لمواصلة التحقيق أو للشروع في دعوى جنائية، كما ورد في الرسالتين الموجهتين إلى رئيس مجلس الأمن من الممثلين الدائمين لألمانيا والدانمرك والسويد والمؤرختين 7 شباط/فبراير 2024 (S/2024/149) و 26 شباط/فبراير 2024 (S/2024/189).

وفي ظل هذه الخلفية، أود إبلاغكم بأن وزارة خارجية الاتحاد الروسي أرسلت في 21 و 22 آذار/مارس 2024 إلى سفارات ألمانيا والدانمرك والسويد وسويسرا في الاتحاد الروسي مذكرات شفوية تتضمن ادعاءات بعدم امتثال هذه الدول الأربع لالتزاماتها بموجب الاتفاقية الدولية لقمع الهجمات الإرهابية بالقنابل والاتفاقية الدولية لقمع تمويل الإرهاب (انظر المرفقات)\*. وقد أشارت هذه المذكرات الشفوية إلى وجود منازعة بين الاتحاد الروسي وألمانيا والدانمرك والسويد وسويسرا، في سياق الاتفاقيتين المذكورتين أعلاه، وطالبت بإجراء مفاوضات بشأن تفسيرهما وتطبيقهما.

ومن هذا المنطلق، نود أن نحث ألمانيا والدانمرك والسويد وسويسرا على التقيد بالتزاماتها الدولية المتعلقة بمكافحة الإرهاب، ونؤكد من جديد بهذه الرسالة أن الاتحاد الروسي لن يدخر جهدا لضمان تقديم المسؤولين عن العمل الإرهابي الذي وقع في نورد ستريم إلى العدالة.

وأرجو ممتا تعميم هذه الرسالة ومرفقاتها باعتبارها وثيقة من وثائق الجمعية العامة، في إطار البند 31 (أ) من جدول الأعمال، ومن وثائق مجلس الأمن.

(توقيع) فاسيلي نيبينزيا

## المرفق الأول للرسالة المؤرخة 19 نيسان/أبريل 2024 الموجهة إلى الأمين العام ورئيسة مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

[الأصل: بالروسية]

The Ministry of Foreign Affairs of the Russian Federation presents its compliments to the Embassy of the Kingdom of Denmark in the Russian Federation and, referring to its note No. 111 dated 17 February 2023, has the honour to communicate the following.

26 September 2023 marked one year since the commission of a blatant act of international terrorism in which the strategic Nord Stream 1 and 2 gas pipelines, which had provided energy security for Europe, were blown up. This terrorist attack caused serious damage to the economies of European countries, including Russia, and has set an extremely dangerous precedent for attacking cross-border critical infrastructure.

Unfortunately, the perpetrators of this crime have not yet been identified and have not received the punishment they deserve. Moreover, there are reasonable doubts about the transparency, effectiveness and impartiality of the investigations being carried out by some States into the attack, including the Kingdom of Denmark. Meanwhile, the investigations of other States, such as the Russian Federation, are being relentlessly obstructed.

The Russian Federation and the Kingdom of Denmark are States Parties to the International Convention for the Suppression of Terrorist Bombings of 16 December 1997 and to the International Convention for the Suppression of the Financing of Terrorism (Terrorist Financing Convention) of 9 December 1999.

Article 10 of the International Convention for the Suppression of Terrorist Bombings has established that “States Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 2 [of the Convention], including assistance in obtaining evidence at their disposal necessary for the proceedings.” According to article 10, paragraph 2, of that Convention: “States Parties shall carry out their obligations under paragraph 1 in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.”

Similarly, article 12 of the Terrorist Financing Convention establishes that “States Parties shall afford one another the greatest measure of assistance in connection with criminal investigations or criminal or extradition proceedings in respect of the offences set forth in article 2, including assistance in obtaining evidence in their possession necessary for the proceedings.” Furthermore, according to article 12, paragraph 5, of that Convention: “States Parties shall carry out their obligations [under paragraphs 1 and 2] in conformity with any treaties or other arrangements on mutual legal assistance or information exchange that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.”

According to the annex to the Terrorist Financing Convention, the scope of that Convention extends to offences under the International Convention for the Suppression of Terrorist Bombings.

The European Convention on Mutual Assistance in Criminal Matters of 20 April 1959, to which the Russian Federation and the Kingdom of Denmark are parties,

constitutes the above-mentioned international treaty on mutual legal assistance within the meaning of article 10 of the International Convention for the Suppression of Terrorist Bombings and article 12 of the Terrorist Financing Convention in relations between the Russian Federation and the Kingdom of Denmark.

On 5 October 2022, the Chairman of the Government of the Russian Federation, Mikhail Mishustin, sent a communication (ref. No. 11633p-P2) to the Prime Minister of the Kingdom of Denmark, Mette Frederiksen, in which he emphasized that Russia insisted on the federal executive authorities of the Russian Federation and PJSC Gazprom participating in the investigation of the terrorist attack against the above-mentioned gas pipelines in order to make the investigation as open, comprehensive and credible as possible.

At the same time, on the basis of the European Convention on Mutual Assistance in Criminal Matters, the competent authorities of the Russian Federation have repeatedly sent requests for legal assistance to the competent authorities of the Kingdom of Denmark as part of the criminal case initiated by the Investigation Department of the Federal Security Service of the Russian Federation into the explosion on the gas pipelines, under article 361 (Act of international terrorism) of the Criminal Code of the Russian Federation.

This includes the following requests:

Request No. 6/3-13176 dated 4 October 2022 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-173-2022 dated 7 October 2022 from the Prosecutor-General's Office of the Russian Federation;

Request No. 6/3-14044 dated 21 October 2022 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-185-2022 dated 24 October 2022 from the Prosecutor-General's Office of the Russian Federation;

Request No. 6/3-15135 dated 16 November 2022 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-198-2022 dated 23 November 2022 from the Prosecutor-General's Office of the Russian Federation;

Request No. 6/3-2916 dated 14 March 2023 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-115-2023 dated 24 March 2023 from the Prosecutor-General's Office of the Russian Federation.

In these requests, the offence was categorized as a terrorist act and references were made to the international conventions involving the Russian Federation and the Kingdom of Denmark governing counter-terrorism and legal assistance in criminal matters.

In response, Russia received note No. 2023-3386 dated 31 January 2023 and note No. 2023-9808 dated 22 March 2023 from the Ministry of Foreign Affairs of the Kingdom of Denmark, transmitting, respectively, letter No. RA-2022-3200421-44 dated 23 January 2023 and letter No. RA-2022-1900121-114 dated 16 March 2023 from the Office of the Prosecutor General of the Kingdom of Denmark, indicating that the execution of the requests from the Federal Security Service of the Russian Federation allegedly "may endanger the security of the Danish State", without any explanation as to what exactly such danger might be.

The Office of the Prosecutor General of the Kingdom of Denmark only partially complied with request No. 6/3-2916 dated 14 March 2023 from the Federal Security Service of the Russian Federation, reporting in letter No. RA-2023-1900121-43 dated 27 June 2023 the results of an investigation into an unidentified cylindrical object lifted from the bottom of the Baltic Sea in the area of gas pipeline explosion. At the

same time, representatives of the competent authorities of the Russian Federation, contrary to the request of Russia, were not allowed to lift or examine the object.

The Ministry notes that the above-mentioned requests of Russia have not been executed by the competent authorities of the Kingdom of Denmark, contrary to the requirements of the International Convention for the Suppression of Terrorist Bombings, the Terrorist Financing Convention and the European Convention on Mutual Assistance in Criminal Matters.

By note No. 111 of 17 February 2023, the Ministry of Foreign Affairs of the Russian Federation expressed to Denmark its concern that, despite repeated appeals from Russia, the Danish authorities were refusing to cooperate with Russia in order to identify the causes and sponsors of the terrorist attacks against the gas pipelines. The Danish leadership also ignored the message sent to it by the Chairman of the Government of the Russian Federation, Mikhail Mishustin. All of this has increased suspicions about the concealment of evidence and the covering up of the sponsors and perpetrators of these terrorist attacks.

At a Security Council meeting held on 21 February 2023 about the Nord Stream 1 and 2 explosions, the Permanent Representative of the Russian Federation to the United Nations, Vassily Nebenzia, drew the attention of the international community to the fact that these crimes are terrorist acts covered by the International Convention for the Suppression of Terrorist Bombings. Mr. Nebenzia noted the lack of political will on the part of the Danish leadership to fulfil its obligations under the Convention, which was reflected in the refusal of the competent authorities of the Kingdom of Denmark to comply with the requests of the competent authorities of the Russian Federation for legal assistance and to allow representatives of Russia to participate in the investigation being conducted by the authorities of the Kingdom of Denmark.

Subsequently, the Federal Security Service of the Russian Federation sent the competent authorities of the Kingdom of Denmark request No. 6/3-10883 dated 4 August 2023, transmitted by letter No. 87-173-2022 dated 23 August 2023 from the Prosecutor General's Office of the Russian Federation, in which the Service recalled that gas pipeline explosions, as acts of international terrorism, fall within the scope of the International Convention for the Suppression of Terrorist Bombings and the Terrorist Financing Convention. The Federal Security Service of the Russian Federation asked Denmark to clarify what, in its opinion, might constitute a threat to the security of the Kingdom of Denmark, should the earlier requests made by the Federal Security Service of the Russian Federation be carried out, and invited Denmark to revert to executing those requests. However, this communication from the Federal Security Service of the Russian Federation went unanswered.

In the light of the above, Russia is compelled to note the systematic refusal of Denmark, contrary to the provisions of article 10 of the International Convention for the Suppression of Terrorist Bombings and article 12 of the Terrorist Financing Convention, to cooperate with the competent authorities of the Russian Federation in investigating the act of international terrorism that took the form of Nord Stream 1 and 2 gas pipeline explosions. Russia considers such a refusal to be unwarranted, unjustified and contrary to the requirements of the aforementioned Conventions. The reaction of Denmark indicates that there are differences between Russia and Denmark regarding the interpretation and application of these Conventions.

In accordance with the provisions of article 20 of the International Convention for the Suppression of Terrorist Bombings and article 24 of the Terrorist Financing Convention, Russia invites Denmark to hold immediate negotiations on the interpretation and application of the aforementioned Conventions, in particular on the issue of the non-compliance by Denmark with its obligations under the Conventions.

The Ministry proposes to hold these negotiations in the week of 15 April 2024. Since correspondence on this issue has been ongoing between Russia and Denmark for more than a year, the Ministry expects a response from Denmark in the near future.

The Ministry takes this opportunity to convey to the Embassy the renewed assurances of its highest consideration.

Moscow, 22 March 2024

المرفق الثاني للرسالة المؤرخة 19 نيسان/أبريل 2024 الموجهة إلى الأمين العام ورئيسة  
مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

[الأصل: بالروسية]

The Ministry of Foreign Affairs of the Russian Federation presents its compliments to the Embassy of the Federal Republic of Germany and, referring to note No. 2538/n dated 10 October 2022 from the Embassy of the Russian Federation in the Federal Republic of Germany and note No. 324/n dated 17 February 2023 from the Ministry of Foreign Affairs of the Russian Federation, has the honour to communicate the following.

26 September 2023 marked one year since the commission of a blatant act of international terrorism in which the strategic Nord Stream 1 and 2 gas pipelines, which had provided energy security for Europe, were blown up. This terrorist attack caused serious damage to the economies of European countries, including Russia, and has set an extremely dangerous precedent for attacking cross-border critical infrastructure.

Unfortunately, the perpetrators of this crime have not yet been identified and have not received the punishment they deserve. Moreover, there are reasonable doubts about the transparency, effectiveness and impartiality of the investigations being carried out by some States into the attack, including the Federal Republic of Germany. Meanwhile, the investigations of other States, such as the Russian Federation, are being relentlessly obstructed.

The Russian Federation and the Federal Republic of Germany are States Parties to the International Convention for the Suppression of Terrorist Bombings of 16 December 1997 and to the International Convention for the Suppression of the Financing of Terrorism (Terrorist Financing Convention) of 9 December 1999.

Article 10 of the International Convention for the Suppression of Terrorist Bombings has established that “States Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 2 [of the Convention], including assistance in obtaining evidence at their disposal necessary for the proceedings.” According to article 10, paragraph 2, of that Convention: “States Parties shall carry out their obligations under paragraph 1 in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.”

Similarly, article 12 of the Terrorist Financing Convention establishes that “States Parties shall afford one another the greatest measure of assistance in connection with criminal investigations or criminal or extradition proceedings in respect of the offences set forth in article 2, including assistance in obtaining evidence in their possession necessary for the proceedings.” Furthermore, according to article 12, paragraph 5, of that Convention: “States Parties shall carry out their obligations [under paragraphs 1 and 2] in conformity with any treaties or other arrangements on mutual legal assistance or information exchange that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.”

According to the annex to the Terrorist Financing Convention, the scope of that Convention extends to offences under the International Convention for the Suppression of Terrorist Bombings.

The European Convention on Mutual Assistance in Criminal Matters of 20 April 1959, to which the Russian Federation and the Federal Republic of Germany are parties, constitutes the above-mentioned international treaty on mutual legal assistance within the meaning of article 10 of the International Convention for the Suppression of Terrorist Bombings and article 12 of the Terrorist Financing Convention in relations between the Russian Federation and the Federal Republic of Germany.

On 5 October 2022, the Chairman of the Government of the Russian Federation, Mikhail Mishustin, sent a communication (ref. No. 11635p-P2) to the Chancellor of the Federal Republic of Germany, Olaf Scholz, in which he emphasized that Russia insisted on the federal executive authorities of the Russian Federation and PJSC Gazprom participating in the investigation of the terrorist attack against the above-mentioned gas pipelines in order to make the investigation as open, comprehensive and credible as possible.

At the same time, on the basis of the European Convention on Mutual Assistance in Criminal Matters, the competent authorities of the Russian Federation have repeatedly sent requests for legal assistance to the competent authorities of the Federal Republic of Germany as part of the criminal case initiated by the Investigation Department of the Federal Security Service of the Russian Federation into the explosion on the gas pipelines, under article 361 (Act of international terrorism) of the Criminal Code of the Russian Federation.

This includes the following requests:

Request No. 6/3–14046 dated 21 October 2022 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-186-2022 dated 24 October 2022 from the Prosecutor-General's Office of the Russian Federation;

Request No. 6/3–14357c dated 28 October 2022 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-189-2022 dated 31 October 2022 from the Prosecutor-General's Office of the Russian Federation.

In these requests, the offence was categorized as a terrorist act and references were made to the international conventions involving the Russian Federation and the Federal Republic of Germany governing counter-terrorism and legal assistance in criminal matters.

The Ministry notes that the above-mentioned requests of Russia have not been executed by the competent authorities of the Federal Republic of Germany, contrary to the requirements of the International Convention for the Suppression of Terrorist Bombings, the Terrorist Financing Convention and the European Convention on Mutual Assistance in Criminal Matters.

The Ministry received note No. 24/2023 dated 7 February 2023 from the Embassy, transmitting letter No. III1–9352E/5E-B21773/2022 and letter No. III1–9352E/9-R2-B22289/2022 dated 19 January 2023 from the Ministry of Justice of the Federal Republic of Germany, indicating that compliance with the requests of the Federal Security Service of the Russian Federation could allegedly “prejudice the interests of the Federal Republic of Germany”, without any explanation as to what exactly such prejudice might be.

By Note No. 324/n of 17 February 2023, the Ministry of Foreign Affairs of the Russian Federation expressed to the Federal Republic of Germany its concern that, despite repeated appeals from Russia, the German authorities were refusing to cooperate with Russia in order to identify the causes and sponsors of the terrorist attacks against the gas pipelines. The German leadership also ignored the message sent to it by the Chairman of the Government of the Russian Federation, Mikhail

Mishustin. All of this raises suspicions about Germany concealing evidence and covering up the sponsors and perpetrators of these terrorist attacks.

At a Security Council meeting held on 21 February 2023 about the Nord Stream 1 and 2 explosions, the Permanent Representative of the Russian Federation to the United Nations, Vassily Nebenzia, drew the attention of the international community to the fact that these crimes are terrorist acts covered by the International Convention for the Suppression of Terrorist Bombings. Mr. Nebenzia noted the lack of political will on the part of the leadership of the Federal Republic of Germany to fulfil its obligations under the Convention, which was reflected in the refusal of the competent German authorities to comply with the requests of the competent authorities of the Russian Federation for legal assistance and to allow representatives of Russia to participate in the investigation being conducted by the authorities of the Federal Republic of Germany.

The Federal Security Service of the Russian Federation sent the competent authorities of the Federal Republic of Germany request No. 6/3-11047 dated 14 August 2023, transmitted by letter No. 87-189-2022 dated 23 August 2023 from the Prosecutor General's Office of the Russian Federation, in which the Service recalled that gas pipeline explosions, as acts of international terrorism, fall within the scope of the International Convention for the Suppression of Terrorist Bombings and the Terrorist Financing Convention. The Federal Security Service of the Russian Federation asked Germany to clarify what, in its opinion, might constitute a threat to the security of the Federal Republic of Germany, should the earlier requests made by the Federal Security Service of the Russian Federation be carried out, and invited Germany to revert to executing those requests. However, this communication went unanswered.

In the light of the above, Russia is compelled to note the systematic refusal of Germany, contrary to the provisions of article 10 of the International Convention for the Suppression of Terrorist Bombings and article 12 of the Terrorist Financing Convention, to cooperate with the competent authorities of the Russian Federation in investigating the act of international terrorism that took the form of the Nord Stream 1 and 2 gas pipeline explosions. Russia considers such a refusal to be unwarranted, unjustified and contrary to the requirements of the aforementioned Conventions. The reaction of Germany indicates that there are differences between Russia and Germany regarding the interpretation and application of these Conventions.

In accordance with the provisions of article 20 of the International Convention for the Suppression of Terrorist Bombings and article 24 of the Terrorist Financing Convention, Russia invites Germany to hold negotiations on the interpretation and application of the aforementioned Conventions, in particular on the issue of the non-compliance by Germany with its obligations under the Conventions. The Ministry proposes to hold these negotiations in the week of 15 April 2024. Since correspondence on this issue has been ongoing between Russia and Germany for more than a year, the Ministry expects a response from Germany in the near future.

The Ministry takes this opportunity to convey to the Embassy the renewed assurances of its highest consideration.

Moscow, 21 March 2024

المرفق الثالث للرسالة المؤرخة 19 نيسان/أبريل 2024 الموجهة إلى الأمين العام  
ورئيسة مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

[الأصل: بالروسية]

The Ministry of Foreign Affairs of the Russian Federation presents its compliments to the Ministry of Foreign Affairs of the Kingdom of Sweden in the Russian Federation and, referring to note No. 859 dated 10 October 2022, note No. 324 dated 12 April 2023 and letter No. 140 dated 17 February 2023 from the Embassy of the Russian Federation in the Kingdom of Sweden, has the honour to communicate the following.

26 September 2023 marked once since of the commission of a blatant act of international terrorism in which the strategic Nord Stream 1 and 2 gas pipelines, which had provided energy security for Europe, were blown up. This terrorist attack caused serious damage to the economies of European countries, including Russia, and has set an extremely dangerous precedent for attacking cross-border critical infrastructure.

Unfortunately, the perpetrators of this crime have not yet been identified and have not received the punishment they deserve. Moreover, there are reasonable doubts about the transparency, effectiveness and impartiality of the investigations being carried out by some States into the attack, including the Kingdom of Sweden. Meanwhile, the investigations of other States, such as the Russian Federation, are being relentlessly obstructed.

The Russian Federation and the Kingdom of Sweden are States Parties to the International Convention for the Suppression of Terrorist Bombings of 16 December 1997 and to the International Convention for the Suppression of the Financing of Terrorism (Terrorist Financing Convention) of 9 December 1999.

Article 10 of the International Convention for the Suppression of Terrorist Bombings has established that “States Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 2 [of the Convention], including assistance in obtaining evidence at their disposal necessary for the proceedings.” According to article 10, paragraph 2, of that Convention: “States Parties shall carry out their obligations under paragraph 1 in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.”

Similarly, article 12 of the Terrorist Financing Convention establishes that “States Parties shall afford one another the greatest measure of assistance in connection with criminal investigations or criminal or extradition proceedings in respect of the offences set forth in article 2, including assistance in obtaining evidence in their possession necessary for the proceedings.” Furthermore, according to article 12, paragraph 5, of that Convention: “States Parties shall carry out their obligations [under paragraphs 1 and 2] in conformity with any treaties or other arrangements on mutual legal assistance or information exchange that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.”

According to the annex to the Terrorist Financing Convention, the scope of that Convention extends to offences under the International Convention for the Suppression of Terrorist Bombings.

The European Convention on Mutual Assistance in Criminal Matters of 20 April 1959, to which the Russian Federation and the Kingdom of Sweden are parties, constitutes the above-mentioned international treaty on mutual legal assistance within the meaning of article 10 of the International Convention for the Suppression of Terrorist Bombings and article 12 of the Terrorist Financing Convention in relations between the Russian Federation and the Kingdom of Sweden.

On 5 October 2022, the Chairman of the Government of the Russian Federation, Mikhail Mishustin, sent a communication (ref. No. 11634p-P2) to the Prime Minister of the Kingdom of Sweden, Magdalena Andersson, in which he emphasized that Russia insisted on the federal executive authorities of the Russian Federation and PJSC Gazprom participating in the investigation of the terrorist attack against the above-mentioned gas pipelines in order to make the investigation as open, comprehensive and credible as possible.

At the same time, on the basis of the European Convention on Mutual Assistance in Criminal Matters, the competent authorities of the Russian Federation have repeatedly sent requests for legal assistance to the competent authorities of the Kingdom of Sweden as part of the criminal case initiated by the Investigation Department of the Federal Security Service of the Russian Federation into the explosion on the gas pipelines, under article 361 (Act of international terrorism) of the Criminal Code of the Russian Federation.

This includes the following requests:

Request No. 6/3-13178 dated 4 October 2022 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-172-2022 dated 7 October 2022 from the Prosecutor-General's Office of the Russian Federation;

Request No. 6/3-13809 dated 17 October 2022 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-182-2022 dated 19 October 2022 from the Prosecutor-General's Office of the Russian Federation;

Request No. 6/3-14356 dated 28 October 2022 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-190-2022 dated 31 October 2022 from the Prosecutor-General's Office of the Russian Federation;

Request No. 6/3-14643 dated 3 November 2022 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-192-2022 dated 8 November 2022 from the Prosecutor-General's Office of the Russian Federation;

Request No. 6/3-15134 dated 16 November 2022 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-197-2022 dated 23 November 2022 from the Prosecutor-General's Office of the Russian Federation;

Request No. 6/3-15606 dated 28 November 2022 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-199-2022 dated 5 December 2022 from the Prosecutor-General's Office of the Russian Federation.

In these requests, the offence was categorized as a terrorist act and references were made to the international conventions involving the Russian Federation and the Kingdom of Sweden governing counter-terrorism and legal assistance in criminal matters.

The Ministry notes that the above-mentioned requests of Russia have not been executed by the competent authorities of the Kingdom of Sweden, contrary to the requirements of the International Convention for the Suppression of Terrorist Bombings, the Terrorist Financing Convention and the European Convention on Mutual Assistance in Criminal Matters.

The Prosecutor-General's Office of the Russian Federation received letter No. JuBC2022/00799 dated 22 December 2022 from the Ministry of Justice of the Kingdom of Sweden, in which it was informed that the execution of the above-mentioned requests by the Federal Security Service of the Russian Federation could allegedly "endanger the security of the requested State", without any explanation as to what exactly such danger might be.

By letter No. 140 dated 17 February 2023 from the Ambassador Extraordinary and Plenipotentiary of the Russian Federation to the Kingdom of Sweden, a note was transmitted from the Ministry of Foreign Affairs of the Russian Federation to the Ministry of Foreign Affairs of the Kingdom of Sweden. In this note the Ministry of Foreign Affairs of the Russian Federation expressed to Sweden its concern that, despite repeated appeals from Russia, the authorities of the Kingdom of Sweden were refusing to cooperate with Russia in order to identify the causes and sponsors of the terrorist attacks against the gas pipelines. The Swedish leadership also ignored the message sent to it by the Chairman of the Government of the Russian Federation, Mikhail Mishustin. All of this raises suspicions about the concealment of evidence and the covering up of the sponsors and perpetrators of these terrorist attacks.

At a Security Council meeting held on 21 February 2023 about the Nord Stream 1 and 2 explosions, the Permanent Representative of the Russian Federation to the United Nations, Vassily Nebenzia, drew the attention of the international community to the fact that these crimes are terrorist acts covered by the International Convention for the Suppression of Terrorist Bombings. Mr. Nebenzia noted the lack of political will on the part of the Swedish leadership to fulfil its obligations under the Convention, which was reflected in the refusal of the competent authorities of the Kingdom of Sweden to comply with the requests of the competent authorities of the Russian Federation for legal assistance and to allow representatives of Russia to participate in the investigation being conducted by the authorities of the Kingdom of Sweden.

In Note No. 324 dated 12 April 2023, the Embassy of the Russian Federation reminded the Ministry of Foreign Affairs of the Kingdom of Sweden that Russia still expects Sweden to authorize representatives to investigate the act of terrorism against the gas pipelines. However, such authorization was never granted.

In request No. 6/3-11045 dated 14 August 2023, transmitted by letter No. 87-172-2022 dated 23 August 2023 from the Prosecutor General's Office of the Russian Federation, the Federal Security Service of the Russian Federation recalled that gas pipeline explosions, as acts of international terrorism, fall within the scope of the International Convention for the Suppression of Terrorist Bombings and the Terrorist Financing Convention. The Federal Security Service maintained its earlier requests for legal assistance to the competent authorities of the Kingdom of Sweden and invited Sweden to revert to executing them, taking into account the requirements of the International Convention for the Suppression of Terrorist Bombings and the Terrorist Financing Convention. The Federal Security Service of the Russian Federation also asked for clarification as to what exactly, in the opinion of Sweden, might constitute a threat to the security of the Swedish State, should the earlier requests made by the Federal Security Service of the Russian Federation be carried out. No response was received from Sweden to the above communication.

In the light of the above, Russia is compelled to note the systematic refusal of Sweden, contrary to the provisions of article 10 of the International Convention for the Suppression of Terrorist Bombings and article 12 of the Terrorist Financing Convention, to cooperate with the competent authorities of the Russian Federation in investigating the act of international terrorism that took the form of the Nord Stream 1 and 2 gas pipeline explosions. Russia considers such a refusal to be unwarranted,

unjustified and contrary to the requirements of the aforementioned Conventions. The reaction of Sweden indicates that there are differences between Russia and Sweden regarding the interpretation and application of these Conventions.

In accordance with the provisions of article 20 of the International Convention for the Suppression of Terrorist Bombings, article 24 of the Terrorist Financing Convention and article 29 of the European Convention on Mutual Assistance in Criminal Matters, Russia invites Sweden to hold negotiations on the interpretation and application of the aforementioned Conventions, in particular on the issue of the non-compliance by Sweden with its obligations under the Conventions. The Ministry proposes to hold these negotiations in the week of 15 April 2024. Since correspondence on this issue has been ongoing between Russia and Sweden for more than a year, the Ministry expects a response from Sweden in the near future.

The Ministry takes this opportunity to convey to the Embassy the renewed assurances of its highest consideration.

Moscow, 22 March 2024

المرفق الرابع للرسالة المؤرخة 19 نيسان/أبريل 2024 الموجهة إلى الأمين العام ورئيسة  
مجلس الأمن من الممثل الدائم للاتحاد الروسي لدى الأمم المتحدة

[الأصل: بالروسية]

The Ministry of Foreign Affairs of the Russian Federation presents its compliments to the Embassy of the Swiss Confederation in the Russian Federation and has the honour to communicate the following.

26 September 2023 marked one year since the commission of a blatant act of international terrorism in which the strategic Nord Stream 1 and 2 gas pipelines, which had provided energy security for Europe, were blown up. This terrorist attack caused serious damage to the economies of European countries, including Russia, and has set an extremely dangerous precedent for attacking cross-border critical infrastructure.

Unfortunately, the perpetrators of this crime have not yet been identified and have not received the punishment they deserve. Moreover, there are reasonable doubts about the transparency, effectiveness and impartiality of the investigations being carried out by some States into the attack, including the Swiss Confederation. Meanwhile, the investigations of other States, such as the Russian Federation, are being relentlessly obstructed.

The Russian Federation and the Swiss Confederation are States Parties to the International Convention for the Suppression of Terrorist Bombings of 16 December 1997 and to the International Convention for the Suppression of the Financing of Terrorism (Terrorist Financing Convention) of 9 December 1999.

Article 10 of the International Convention for the Suppression of Terrorist Bombings has established that “States Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 2 [of the Convention], including assistance in obtaining evidence at their disposal necessary for the proceedings.” According to article 10, paragraph 2, of that Convention: “States Parties shall carry out their obligations under paragraph 1 in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.”

Similarly, article 12 of the Terrorist Financing Convention establishes that “States Parties shall afford one another the greatest measure of assistance in connection with criminal investigations or criminal or extradition proceedings in respect of the offences set forth in article 2, including assistance in obtaining evidence in their possession necessary for the proceedings.” Furthermore, according to article 12, paragraph 5, of that Convention: “States Parties shall carry out their obligations [under paragraphs 1 and 2] in conformity with any treaties or other arrangements on mutual legal assistance or information exchange that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.”

According to the annex to the Terrorist Financing Convention, the scope of that Convention extends to offences under the International Convention for the Suppression of Terrorist Bombings.

The European Convention on Mutual Assistance in Criminal Matters of 20 April 1959, to which the Russian Federation and the Swiss Confederation are parties, constitutes the above-mentioned international treaty on mutual legal assistance within

the meaning of article 10 of the International Convention for the Suppression of Terrorist Bombings and article 12 of the Terrorist Financing Convention in relations between the Russian Federation and the Swiss Confederation.

On the basis of the European Convention on Mutual Assistance in Criminal Matters, the competent authorities of the Russian Federation have repeatedly sent requests for legal assistance to the competent authorities of the Swiss Confederation as part of the criminal case initiated by the Investigation Department of the Federal Security Service of the Russian Federation into the explosion on the gas pipelines, under article 361 (Act of international terrorism) of the Criminal Code of the Russian Federation.

This includes the following requests:

Request No. 6/3-2019 dated 17 February 2023 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-109-2023 dated 3 March 2023 from the Prosecutor-General's Office of the Russian Federation;

Request No. 6/3-2496 dated 3 March 2023 from the Federal Security Service of the Russian Federation, transmitted by letter No. 87-110-2023 dated 10 March 2023 from the Prosecutor-General's Office of the Russian Federation.

In these requests, the offence was categorized as a terrorist act and references were made to the international conventions involving the Russian Federation and the Swiss Confederation governing counter-terrorism and legal assistance in criminal matters.

The Ministry notes that the above-mentioned requests of Russia have not been executed by the competent authorities of the Swiss Confederation, contrary to the requirements of the International Convention for the Suppression of Terrorist Bombings, the Terrorist Financing Convention and the European Convention on Mutual Assistance in Criminal Matters.

The Embassy of the Russian Federation in the Swiss Confederation received letter No. B-23-1299-1 dated 14 April 2023 and letter No. B-23-1299-2 dated 3 August 2023 from the Federal Office of Justice of the Federal Department of Justice and Police of the Swiss Confederation, informing it, without reference to any legal act, that "at present, no legal assistance of any kind can be provided to the Russian Federation in criminal cases" and that "regardless of the specific cases, new requests by the Russian Federation ... will be rejected until a further decision is reached."

Subsequently, the Federal Security Service of the Russian Federation sent to the competent authorities of the Swiss Confederation request No. 6/3-12384 dated 31 August 2023, transmitted by letter No. 87-109-2023 and letter No. 87-110-2023 dated 18 September 2023 from the Prosecutor-General's Office of the Russian Federation, notifying Switzerland that it disagreed with the unwarranted refusal of legal assistance and invited Switzerland to resume the execution of its above-mentioned requests. However, this communication from the Federal Security Service of the Russian Federation went unanswered.

At a Security Council meeting held on 21 February 2023 about the Nord Stream 1 and 2 explosions, the Permanent Representative of the Russian Federation to the United Nations, Vassily Nebenzia, drew the attention of the international community to the fact that these crimes are terrorist acts covered by the International Convention for the Suppression of Terrorist Bombings. Mr. Nebenzia noted the lack of political will on the part of the leadership of the Swiss Confederation to fulfil its obligations under the Convention, which was reflected in the refusal of the competent authorities of the Swiss Confederation to comply with the requests of the competent authorities of the Russian Federation for legal assistance and to allow representatives of Russia

to participate in the investigation being conducted by the authorities of the Swiss Confederation.

In the light of the above, Russia is compelled to note the systematic refusal of the Swiss Confederation, contrary to the provisions of article 10 of the International Convention for the Suppression of Terrorist Bombings and article 12 of the Terrorist Financing Convention, to cooperate with the competent authorities of the Russian Federation in investigating the act of international terrorism that took the form of the Nord Stream 1 and 2 gas pipeline explosions. Russia considers such a refusal to be unwarranted, unjustified and contrary to the requirements of the aforementioned Conventions. The reaction of the Swiss Confederation indicates that there are differences between Russia and the Swiss Confederation regarding the interpretation and application of these Conventions.

In accordance with the provisions of article 20 of the International Convention for the Suppression of Terrorist Bombings and article 24 of the Terrorist Financing Convention, Russia invites Switzerland to hold negotiations on the interpretation and application of the aforementioned Conventions, in particular on the issue of the non-compliance by Switzerland with its obligations under the Conventions. The Ministry proposes to hold these negotiations in the week of 15 April 2024. Since correspondence on this issue has been ongoing between Russia and Switzerland for more than a year, the Ministry expects a response from Switzerland in the near future.

The Ministry takes this opportunity to convey to the Embassy the renewed assurances of its highest consideration.

Moscow, 21 March 2024

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