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**SPEECH OF THE PRESIDENT ELECT**

**Mr. O-Gon Kwon**

**Presentation during Panel II: Twenty Years Later – The future of Cooperation with the international Criminal Court**

Mr. Vice-President, Ambassador Diop, Ambassador Lalliot, Your Excellencies, distinguished delegates, distinguished panellists, ladies and gentlemen,

It is a great honour to give some introductory remarks at this segment of this panel discussion. We are on the eve of celebrating the 20<sup>th</sup> anniversary of the Rome Statute. The ICC has now become an established, functional and fully fledged institution that continues to evolve and adapt to its environment. One of the main foundations of this remarkable achievement has been the level and quality of cooperation that States Parties and organisations provided to the Court throughout the past two decades.

As you know cooperation is one of the main pillars of the Rome Statute system. Without which the Court cannot function properly, it is States Parties that have the ultimate responsibility to support the ICC's judicial and prosecutorial functions by providing concrete cooperation at all stages of the Court's activities, including investigations, arrest and transfer of suspects or the accused, access to evidence and witnesses, protection of individuals, and the enforcement of judicial decisions and sentences. Furthermore, various forms of voluntary

cooperation, such as the relocation of witnesses, are essential in ensuring the efficient functioning of the Court, and fair and expeditious trials.

Back in 2007, the Assembly adopted a seminal document that contains a comprehensive list of 66 recommendations on cooperation. These recommendations identify key areas of priority and challenges regarding cooperation; they not only provide an outline and direction but also suggest possible pragmatic solutions for overcoming challenges. Follow up measures have also been taken for example, by distributing to states Parties a flyer describing ways to better implement the recommendations and a questionnaire requesting information on their implementation in 2016. Ever since their adoption in 2007, the ASP recommendations on cooperation have proven to be a useful guidance tool of continued relevance for States Parties and the ICC, and it is my firm belief that by further strengthening cooperation of States with the Court we may ensure its ultimate effectiveness, credibility and independence.

In this context, today's plenary on cooperation will provide an excellent forum for a constructive dialogue among all States Parties. As mentioned earlier this week by Mme President of the Court, Her Excellency, Judge Fernandez de Gurmendi, while the Court is not part of the United Nations, it shares its core values and goals – and the Court benefits from numerous forms of vital cooperation provided by the UN and its agencies, funds and programmes. I second her statement and will support the strengthening of these invaluable partnerships. The Court also needs the cooperation and support of the international community at large, States, international and regional organizations, as well as civil society.

We must not forget the critical importance of States concluding voluntary framework agreements with the Court, in relation to the relocation of witnesses, enforcement of sentences and hosting of persons in the cases of interim release and acquittal. Several States have already concluded such agreements, but we hope to have more States Parties from diverse regions that will move in the same direction.

Regarding the issue of victim and witness relocation, I urge States Parties to give due consideration to associated safety concerns and humanitarian costs and make themselves available for voluntary contributions to the Court's Special Funds for Relocations.

Another equally important issue is how to build a coordinating mechanism among national authorities dealing with the ICC's cooperation requests. We may need to intensify the efforts to encourage States to establish focal points responsible for coordinating efficient national responses to cooperation requests.

And last but not least, the issue of arrest strategies. Timely and effective cooperation with ICC requests is vital to the Court's mandate, with particular concern over outstanding requests for the arrest and surrender of the currently 15 ICC suspects or accused. Cooperation in this area requires concrete steps and best practices need be systematically considered toward securing arrests. If we want the court to be effective States Parties must help it fulfil its noble mission to fight against impunity.

As President-elect of the ASP I will continue the efforts of my predecessors and reach out to States, international and regional organisations, and civil society to listen to their views and concerns, but most importantly to foster cooperation with the Court, and to further

promote the universality of the Rome Statute system. The Court can only be as good and efficient as we, States Parties, make it, through our actions and cooperative assistance.

I thank you for your attention.