

Statement of Italy on the cooperation. XX ASP. 6-11 December 2021

Mr President, excellencies, distinguished delegates, ladies and gentlemen

It is my great pleasure and honour to participate in this plenary session on the cooperation and I wish to express my gratitude to the Ambassadors of France and Senegal for their work and the excellent contribution made as facilitators on a key topic for the future of the Court. The position of Italy is of course the position of the European Union as expressed in its statement. We wish here to underline some issues which we deem of particular relevance.

Italy shares the view that the cooperation is the key for strengthening and enhancing the capacity of the court to fully realize its mandate. As you know, Italy is engaged in cooperating with the Court on investigations in Libya, providing an important and constructive contribution through the exchange of information and documents useful for the work of the Prosecutor.

The cooperation of States is indispensable in order to ensure the ICC's effectiveness and to strengthen its credibility. The Rome Statute system will definitively benefit from States using diplomatic dialogue with other States to promote cooperation between them, as well as encourage the ratification and full implementation of the Rome Statute.

We note with concern the serious challenges that the Court continues to face in relation to its requests for cooperation, including for the execution of its outstanding arrest warrants, and we call on States parties to comply with their obligation to cooperate fully with the Court in the investigation and prosecution of crimes within its jurisdiction. There is an absolute need to get arrest warrants issued by the Court executed immediately and as a matter of urgency. Without arrest, ICC cases cannot proceed and the purpose to timely deliver justice is defeated. Italy is ready to make its contribution by sharing its own experience and operational tools to facilitate the capture of fugitives and strengthen judicial cooperation.

We also stress the obligations under international law and the UN Charter incumbent upon all UN Member States, in particular in cases deferred by the Security Council. Implementing voluntary agreements and other forms of voluntary cooperation such as the relocation of witnesses, enforcements of sentences and final release play a very key role too.

Italy finally underlines the importance of effective procedures and mechanisms enabling States Parties and other States and institutions to cooperate with the court in relation to the identification, tracing and freezing or seizure of proceeds, property and assets as expeditiously as possible. These measures are also essential to secure funds for reparations for victims and for providing support the various programme of reconstruction. Italy has a vast experience in successfully fighting organised crime also through specific legislation. Italy has gathered a vast experience in financial and economic investigations and measures such as seizure and confiscation of illicit assets. We are ready to share our experience also with the relevant bodies of the ICC

Thank you