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Assembly of States Parties to the Rome Statute

Plenary Meeting on Cooperation

Wednesday, 8 December 2021

President's Statement During the First Segment: High-level Interventions on Voluntary Cooperation

I would like to thank the co-facilitators of cooperation for this opportunity to consider together the manner in which we can collectively strengthen and promote cooperation with the International Criminal Court.

I would like to begin my remarks by underscoring three priority areas for the Assembly of States Parties.

First and foremost, I would like to reiterate that cooperation is vital to the functioning of the Court and that States Parties have an obligation to support the judicial and prosecutorial functions of the ICC by providing practical cooperation at all stages of the Court's activities, as provided for in the Rome Statute. I must stress that it is also quintessential that the Agreement on Privileges and Immunities of the ICC be ratified, which safeguards the integrity of the judicial process by warranting the inviolability of the Court's personnel, property and communications.



Excellencies,
Distinguished Delegates,
Ladies and Gentlemen,

In 2007, the Assembly adopted a founding document that contains a comprehensive list of 66 recommendations on cooperation. These recommendations identify priority areas and key challenges for cooperation; not only do the latter provide insight and a sense of direction, but they also suggest possible pragmatic solutions to overcome the challenges. Follow-up actions have also been taken, such as handing out to States Parties a flyer describing ways targeted at a better implementation of the recommendations and a questionnaire requesting information on their implementation in 2016.

Since their adoption in 2007, the Assembly's recommendations on cooperation have proven to be a useful guidance tool of continued relevance to States Parties and the ICC, and I strongly believe that by further strengthening States' cooperation with the Court, we can ensure its effectiveness, credibility and independence.

Second, I would like to reiterate the critical importance of ensuring that States have clear rules and procedures for providing the various forms of cooperation with the Court to which they commit.

In addition to the specific cooperation obligations that States Parties undertake under the Rome Statute and the Agreement on Privileges and



Immunities, there are also various forms of voluntary cooperation that are of key importance with respect to ensuring the effective functioning of the Court and fair and expeditious trials.

I encourage States to consider signing these voluntary framework cooperation agreements in order to facilitate this cooperation which is crucial for the effective implementation of the investigation and prosecution mandate. The presentations we will hear today on the experience of two of the States that have recently signed such agreements with the Court are very important. Their expertise in this area is of particular interest to this Assembly and gives us a clear picture of what can be done at the national level.

Finally, an equally key question revolves around the manner in which a coordination mechanism between national authorities dealing with the ICC cooperation requests can be established. In this context, the second, more technical segment of today's Plenary Session will provide an excellent forum for constructive dialogue amongst all States Parties on intensifying efforts to establish a network of national focal points to coordinate effective responses to the Court's requests for cooperation in the area of financial investigations, asset identification and freezing. It is important to highlight in this regard the adoption at the Sixth Session of the Assembly in 2017 of the Paris Declaration on Financial Investigations and Asset Recovery, which has given a greater momentum to increased cooperation efforts in this area.



Excellencies,
Distinguished Delegates,
Ladies and Gentlemen,

I would like to conclude by thanking you once again for giving me the opportunity to address you in this forum. I am ready to answer all your questions.

Thank you for your attention.
