

**20th SESSION OF THE ASSEMBLY OF STATES PARTIES TO THE ROME
STATUTE
OF THE INTERNATIONAL CRIMINAL COURT**

STATEMENT OF BELGIUM AT THE PLENARY SESSION ON COOPERATION

SEGMENT 1 - VOLUNTARY COOPERATION

(THE HAGUE, WEDNESDAY 8 DECEMBER 2021)

Dear Co-Facilitators,

We would like to thank you for giving us the floor.

First and foremost, I would like to thank the High Representatives of the Court for their highly informative presentations.

As has been pointed out, cooperation is a shared responsibility of the States Parties and is an indispensable mechanism in order to enable the Court to achieve the objectives it is assigned by the Rome Statute.

Belgium would like to bring to mind in this context the fundamental measures it has adopted in view of establishing an appropriate framework of cooperation with the Court.

Firstly, Belgium has set up a **Central Authority** for Cooperation. This Central Authority considerably facilitates the Court's task in directing its requests and offers the possibility of a dynamic dialogue targeted at the improvement of cooperation mechanisms.

Secondly, Belgium adopted a **specific national regulation** on the processing of cooperation requests in 2004. This law covers both mandatory cooperation and voluntary cooperation issues (such as air transport of detainees, protection of victims and witnesses, and freezing and seizure of property and assets for legal aid reimbursement).

Third, States may enter into **cooperation agreements with the Court** and its various organs.

Such agreements may cover matters of mandatory cooperation, but also, and this is the issue we are dealing with today, deal with voluntary cooperation.

Belgium has thus concluded agreements with the Court in the areas of enforcement of sentences, provisional release, relocation of protected witnesses and air transport.

The conclusion of these agreements provided an opportunity for a close dialogue that allowed Belgium, on the one hand, to gain a better understanding of the legal and practical challenges faced by the Court and, on the other hand, to inform the Court of the domestic regulatory framework to which the Court's requests for cooperation should be adapted.

It is important to recall that, in principle, such agreements do not entail any additional cooperation obligations. Requests for voluntary cooperation are examined by Belgium on a case-by-case basis, in accordance with the agreements concluded with the Court.

The cooperation framework set up in Belgium, as I have just presented it to you, enables the Belgian Central Authority to deal with an increasing number of cooperation requests each year, currently circa one hundred per year. The latter mainly come from the International Criminal Court, but also from other international criminal jurisdictions, mechanisms and investigation teams working under the aegis of the UN.

As we have stated on numerous occasions, the Belgian Central Authority obviously stands ready to assist any State that would be interested in its experience or that would like to obtain models of cooperation agreements.

Thank you for your attention.