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**Twenty-first session**  
The Hague, 5-10 December 2022

## **Report of the Bureau on cooperation**

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## I. Background

1. The resolution ICC-ASP/20/Res.2 on Cooperation, adopted by the Assembly of States Parties (“the Assembly”) on 9 December 2021, requested the Bureau “to maintain a facilitation of the Assembly of States Parties for cooperation to consult with States Parties, the Court, other interested States and relevant organizations and non-governmental organizations in order to further strengthen cooperation with the Court”.<sup>1</sup>

2. The resolution also requested the Bureau, through the facilitation on cooperation, in accordance with the resolution on the Review of the International Criminal Court<sup>2</sup> and the Review Mechanism’s Comprehensive Action Plan,<sup>3</sup> to continue to assess the recommendations related to cooperation and their follow-up, including their implementation as appropriate, and to report thereon to the Assembly at its twenty-first session.<sup>4</sup> The resolution further requested the Bureau, through the facilitation on cooperation, to continue to address a number of issues that have been priorities in recent years, and as a matter of priority, namely: to continue the work to further develop the content of the Secured Platform on Cooperation; to hold consultations on the advisability of developing regional thematic focal points on cooperation, of creating a permanent structure for a network of national practitioners and focal points on cooperation, and; on the deepening of the relationship between the UN and its agencies and entities, including for capacity building purpose in order to foster cooperation with the Court.<sup>5</sup>

3. The resolution additionally requested the Bureau, through its Working Groups, to continue the discussions on voluntary framework agreements or arrangements and to report thereon to the Assembly at its twenty-first session.<sup>6</sup> It also encouraged the Bureau, through its Working Groups, to continue its review of the implementation of the 66 recommendations, in close cooperation with the Court, where appropriate.<sup>7</sup>

4. On 21 February 2022 the Bureau re-appointed Ambassador Momar Guèye (Senegal) and Ambassador Luis Vassy (France) as co-facilitators on cooperation. On 4th November 2022, Ambassador François Alabrune (France) replaced Ambassador Vassy as co-facilitator following his departure.

## II. Organization of work and main issues considered

5. In 2022, The Hague Working Group (“the working group”) held a total of four meetings or informal consultations on the issues of cooperation.

6. Informal consultations were held throughout the year with representatives of the Court on the elaboration of the interactive platform on cooperation and on the future priorities of the facilitation on cooperation.

7. At the first meeting, held on 29 March 2022, the co-facilitators together with the complementarity focal points facilitated a discussion the division of labour between the ASP and the Court. The aim of the discussion was to assess recommendation 247(ii) and whether changes would be needed in the existing mandates in order to strengthen the facilitations' role as envisaged by the IER report. The meeting determined that no active support was expressed towards the creation of a new mechanism and that the conclusion was therefore that the use of existing platforms should be promoted and encouraged. See title III of this report for an in-depth analysis of this discussion.

8. A second meeting of the facilitation held on 29 June 2022, addressed the assessment of the IER recommendations, namely recommendation related to: Relations with New York Liaison Office (R150-R151); the Office of the Prosecutor's investigative strategy (R268-269-

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<sup>1</sup> ICC-ASP/20/Res.2, para 32.

<sup>2</sup> ICC-ASP/19/ Res.7.

<sup>3</sup> [https://asp.icc-cpi.int/iccdocs/asp\\_docs/ASP20/RM-Comprehensive Action Plan-ENG.pdf](https://asp.icc-cpi.int/iccdocs/asp_docs/ASP20/RM-Comprehensive Action Plan-ENG.pdf).

<sup>4</sup> ICC-ASP/20/Res.2, para 34.

<sup>5</sup> ICC-ASP/20/Res.2, para 35.

<sup>6</sup> ICC-ASP/20/Res.2, para 25.

<sup>7</sup> ICC-ASP/20/Res.2, para 33.

270-271); Human Resources organizational issues within the OTP and the Registry, including the designation of a dedicated financial investigation officer, tools for tracking fugitive suspects, and tools for remote investigation and testimony gathering (R278 - R282-283-284-286-287-288-289-290-291-292); deployment of OTP investigators in the field in situation countries, the recruitment of specific skills by OTP for specific country situations, and better use of country office resources by the OTP (R293 to R298), in relation with GRGB; and evidence assessment and analysis and resources allocated to that function (R299 to R304). See title III of this report for an in-depth analysis of this discussion.

9. At a third meeting of the facilitation, held on 6 July 2022, the facilitation received an update from the Court on voluntary cooperation agreements; on issues related to the Trust Fund for Family Visits, including a presentation on assistance needs, challenges and possible solutions; and an update on financial investigations and asset recovery. The topics for discussion during this meeting were allocated to the mandate of the co-facilitation on cooperation.

10. The Registry updated the delegations on voluntary cooperation agreements, focusing on cooperation agreements in relation to relocation of witnesses where there is still an important deadlock. The Registry pleaded States Parties for support on this matter, and suggested that States could also serve as platform countries where a family could relocate temporarily in full security while the Court managed to find a long-lasting solution. Regarding cooperation agreements for persons on interim release and persons acquitted by the Court, the Registry indicated that not much progress had been made recently, and highlighted that such agreements cannot be negotiated last minute. For this reason the Court had developed template cooperation agreements, flexible in nature that could be negotiated well in advance.

11. The ICC Presidency gave a brief update on agreements on the enforcement of sentences, noting that the Court had enforcement agreements currently in force with Argentina, Austria, Belgium, Colombia, Denmark, Finland, Georgia, Mali, Norway, Serbia, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland. The latest State Party to conclude such an agreement was France on 11 October 2021, and that negotiations with one State Party were on-going. The ICC Presidency indicated that more regional diversity was needed, noting that the Court had agreements with seven Western European States, three Eastern European States, two GRULAC States, one African State and none from Asia-Pacific.

12. The Registry then updated the facilitation on the efforts undertaken regarding the Fund for family visits, which was created by an ASP resolution in 2010 in an effort by the States Parties to assist the Court with the facilitation of the family visits only for those detained individuals and declared indigent. Before such fund existed such costs were funded through the regular budget of the Court. The Registry highlighted the need for the ICC Detention Centre to maintain its standards, and be able to ensure that the policies and regulations were properly implemented without creating further negative consequences to the rights of the individuals as well as the use of financial and human resources of the Court. The Registry listed the temporary solutions that it had developed to address the challenges encountered during the last years in order to ensure that family visits take place. The Registry pleaded States Parties to find a long lasting solution to this recurring problem, through continued contributions either to the Trust Fund or for example by increasing the amount of the contingency fund of the budget of the Court to ensure that family visits could be arranged.

13. The States Parties agreed to grant some flexibility to the Court through the budget and/or the omnibus resolutions on an exceptional basis to address this urgent matter. The facilitation highlighted that nonetheless a fundraising to attract new funds for the Fund for family visits should be organised as this was the way envisaged by the Assembly to address these challenges.

14. Concerning the matter of financial investigations, the freezing and recovery of assets the Registry emphasized the distinction between the respective mandates of the Registry and the Office of the Prosecutor. While the OTP conducts financial investigations and requests the Chamber to issue requests for cooperation to States, the Registry's main role is to follow-up with States and ensure communication with the Chamber. The Registry's financial

investigator also conducts financial investigations mostly to assess the indigence of the persons but also when required to support the Chamber for the recovery of assets.

15. The Registry indicated that as the Court has concluded a full cycle of asset recovery with the first payments of a fine. The Registry highlighted three main conclusions from such experience: first, the importance of having robust procedures in place at the national level in order to execute requests of the Court; second, the importance of management and valuation of assets as well as having a dialogue between the States Parties and the Court to plan conservatory measures; third, the impact on third parties - the Rome Statute conditions its request by the respect of the rights of bona fide third parties.

16. The Registry concluded by indicating that it intended to continue the coordination with OTP in this regard and further develop the network on operational focal points potentially by September, and recalled the cooperation extranet platform that was created to facilitate dialogue between the Court and the national authorities and to identify the gaps in their legislation.

17. A fourth meeting of the facilitation was held on 15 November 2022, with States Parties and other stakeholders. The OTP and the Registry briefed the HWG on its work in the area of financial investigations in the same spirit as the previous meeting.

18. The IER experts indicated in their report that the Court requires more financial investigations capacity. In this respect, the OTP's Budget request made reference to the potential creation of a Financial Investigation Unit within OTP. Financial investigations are specialized in terms of evidence collection activities and that for this purpose the Office had been using seconded specialized forensic financial investigators. The Office would intend to continue using such secondments to benefit from up to date and the latest expertise in the field.

19. An OTP Financial Investigations Unit would assist all teams in OTP in this area. Such unit would be a key element in enhancing coordination with Registry and creating synergies and efficiencies on both sides. The Unit would also develop standards, practices and trainings for other investigators in the OTP in order to mainstream some of these competencies and skills across the Office. Another potential role, which is currently limited within OTP, would be proactive external networking with external entities, such as Eurojust, Europol, CARIN and other to leverage capacity of the Office.

20. The Registry briefed the HWG on its work in the area of financial investigations by highlighting three basic principles for such investigations in the ICC, due to the fact that is such a peculiar system. First, to secure potential fine or forfeiture when going after criminal assets as in any national system. Second, to secure funds in case of conviction to be able to pay for reparations awards for victims. Third, to investigate that the person benefiting from legal aid is indigent. The Registry works very closely with the OTP but its role starts at a later stage following a Chamber request for the freezing of assets. Cooperation for States Parties is compulsory under chapter 9 of the Rome Statute. There is also a specific mandate for legal aid, based on regulations of the Registry, to request states following a Chamber decision to recuperate assets of a suspect, if found to be not indigent, in order to cover legal aid costs. Such requests must be complied with in conformity with the respective national procedures. This is why implementing legislation for such procedures is extremely important to be able to comply with the Courts requests. This is also why the Questionnaire sent by note verbale is very helpful to the Registry to understand better if gaps exist. States were invited to fill out the questionnaire for the cooperation database that was re-circulated with a note verbale and to appoint a national focal point for these matters.

21. A lesson learnt from the case law and the Court's interaction with States is that the management of assets should be taken care of from the start of the case. The Chamber in one specific case decided that is up to national authorities to ensure assets will not lose their value. This is also of particular importance in case of acquittal, in which case the assets should be returned to the individual. Another lesson learnt is for States, who have received a request for cooperation and have doubts, to request clarifications to the Registry or the Chamber as soon as possible, for instance how to notify the defendant or the role of bona fide third parties, or who covers the costs involved in case of nomination of an administrator. Another lesson learnt is for increased inter States coordination, to have a full overview of the patrimony if it

rests in different jurisdictions. The final lesson learnt is the importance of having a national focal point in capital with knowledge of ICC and national procedures in asset recovery.

22. Regarding the launch of the network, the Registry and the OTP have consulted with other networks like Eurojust's Genocide Network, and with Europol as secretariat of CARIN, to learn from these networks and seek convergence. Regarding the Genocide network, the aspect of asset recovery is not the focus of the network but gave the Court useful feedback on how to build and maintain such a network. She noted that there are some synergies with the CARIN network. The Court is still searching for the best format for the network, which should be flexible. While reaching out to European networks has been successful, reaching out to other networks outside Europe remained a challenge.

23. Regarding the Fund for family visits, created in 2010 to facilitate family visits for detained individuals declared indigent, the Registry recalled the presentation at the previous Cooperation meeting concerning the Fund for family visits. Before such fund existed, such costs were covered by the regular budget of the Court and that while initial contributions were extremely helpful, the fund became depleted for the first time in 2019. Since last year the fund was not able to meet the needs of the Court and hoped that States Parties would improve the situation in a sustainable manner. There is a need for the ICC Detention Centre to maintain its standards, and be able to ensure that the policies and regulations are properly implemented without creating further negative consequences to the rights of the individuals as well as the use of financial and human resources of the Court. It was proposed to introduce some language in an Assembly resolution providing some flexibility to the Court to cover the costs for family visits in an exceptional manner to ensure that family visits can take place. Subsequently proposed draft resolution text was circulated by the co-facilitators under a silence procedure and agreed on 18 November 2022 (see Annex III).

24. A Seminar on Complementarity and Cooperation was held in Dakar, Senegal on 23-25 May.<sup>8</sup> It was organized with the support of the Senegalese Government and the support of the French embassy and EU delegation in Dakar. Discussions emphasized the importance of collective efforts in promoting and strengthening cooperation as well as ensuring the effective implementation of the principle of complementarity, with a particular focus on States from the Economic Community of West African States (ECOWAS). The conference had a big turnout with presence of Ministers of Justice and representatives of the Judiciary of 15 ECOWAS Member States, the Republic of Chad and the Central African Republic, who shared best practices and experiences in cooperation and complementarity related matters. At the conference, the focal points for complementarity and the facilitators for cooperation promoted the work of their facilitations and their respective platforms. The Conference concluded with the signing of the Dakar Declaration.<sup>9</sup>

### **III. Assessment of IER recommendations allocated to the cooperation facilitation**

25. The facilitation on cooperation was designated by the Review Mechanism as a platform for discussion to assess a number of recommendations. A number of these recommendations had been already been reviewed, the outcome of which was reflected in the report on cooperation presented to the ASP last year.<sup>10</sup> There was a substantial number of recommendations to be assess in 2022, the majority of which were primarily the responsibility of the Office of the Prosecutor concerning their implementation.

26. Ambassador Vassy recalled the facilitation's approach for the assessment process with some flexibility, in agreement with the Mechanism, by evaluating the recommendations by coherent groups. He recalled as well that for this reason the assessment of certain recommendations was postponed to this year. The facilitation was also taking into account in particular the arrival of a new Prosecutor and the time that was necessary for him to respond.

<sup>8</sup> <https://www.icc-cpi.int/news/icc-holds-high-level-regional-conference-cooperation-and-complementarity-senegal>

<sup>9</sup> <https://www.icc-cpi.int/sites/default/files/2022-06/20220525-declaration.pdf>

<sup>10</sup> ICC-ASP/20/26.

27. The cooperation facilitators together with the focal points for complementarity facilitated a joint meeting on 29 March 2022 to discuss the division of labour between the ASP and the Court. Recommendation 247(ii) – indicated that: “*The ASP should consider establishing a working group to assist and support the Court in addressing impunity gaps and facilitating partnerships to develop domestic justice processes and maintenance of the rule of law*”. The meeting was a joint meeting because recommendation 247 (ii) goes beyond the scope of complementarity and intersects with a number of cooperation issues, namely: information and evidence sharing between national jurisdictions and the Court; facilitating judicial requests from States Parties to the Court; and, facilitating partnerships for cooperation more generally between states and the Court. The aim of the discussion was to assess recommendation 247(ii) and whether changes would be needed in the existing mandates in order to strengthen the facilitations’ role as envisaged by the IER report.

28. The OTP indicated that the Prosecutor was re-examining the Office’s policies and practices with careful consideration of the IER recommendations, including in particular recommendation 247. The Office emphasized the its regional approach as a new safety net by enhancing of readiness of national jurisdictions through positive complementarity, with particular attention to the Sahel region as well as to the coordination efforts of domestic prosecution services within the EU genocide network. The OTP was also making increasing efforts by reinforcing mutual legal assistance relations.

29. The Secretariat briefed the States Parties on the complementarity platform noting that at the Review Conference in 2010 by resolution RC-Res.1 the Assembly mandated the Secretariat “*within existing resources, to facilitate the exchange of information between the Court, States Parties and other stakeholders, including international organizations and civil society, aimed at strengthening domestic jurisdictions*”. She recalled that the Secretariat, in consultation with the focal points, circulates on an annual basis a *note verbale* inviting States Parties to indicate areas in which they require technical assistance. The Secretariat focal point acts as a liaison between requesting States and donor States or organizations. Ms. Ramoutar noted that to date, there had been a limited number of responses submitted to the Secretariat and encouraged States Parties to approach the Secretariat regarding their available assistance or needs.

30. Ambassador Gueye (Senegal) and Ambassador Vassy (France) noted with regard to recommendation 247 (ii) that the creation of new structures such as a new working group must be viewed with caution and that when devising new approaches it should be done while bearing in mind the importance of making better use of the already existing tools. The co-facilitators invited States Parties to use existing tools accessible to all States Parties such as the secure digital platform on cooperation, financial investigations and the freezing of assets. These tools serve to strengthen the capacity of States to cooperate with the Court and, at the same time, to strengthen their own national capacities to investigate and prosecute within the framework of their national justice system. In conclusion, the facilitations determined that no active support was expressed towards the creation of a new mechanism and that the conclusion was therefore that the use of existing platforms should be promoted and encouraged.

31. Regarding R150-151 on the Court’s New York Liaison Office the Registry recalled that the Court, in its overall response last year, considered these recommendations as very important and assessed them positively. The assessment of R150 was assigned to the Court and the States Parties, while R151 was assigned only to the Court. The Court indicated that it was already working in implementing this recommendation to improve and strengthen the cooperation and communication between The Hague and the New York Liaison Office, as well as expanding its role. The Court had created an inter-organ working group to this effect and was ready to present ideas should the States Parties assessed the recommendation positively. The point was also made that the NYLO had played an important role bridging the gap, particularly for States Parties who do not have a representation in The Hague. Recommendation 150 was assessed positively.

32. In relation to recommendations relating to the investigative strategies of the Office of the Prosecutor (R268-271) the OTP noted that these recommendations were all linked and all had the same objective – achieving greater efficiency and effectiveness of the OTP. The OTP

added that these recommendations no longer reflect, in most cases, the new organization and the internal reforms introduced by the Prosecutor since taking office, in particular the replacement of the former divisions, sections and units within the OTP. The Office now has the Prosecution pillars, the Integrated Services Division, the Office of External Affairs and other components of the Office to take up their functions. He added that it was in line with the recommendations that the Prosecutor engaged in such reform of the Office in order to achieve effectiveness and efficiency. The OTP also noted that over the past few months, the process of determining priorities and defining closure strategies has also continued with the main objective of deepening and accelerating investigations and increasing the chances of success in these situations, all this while improving the wellbeing of staff.

33. The facilitation then assessed the group of recommendations relating to the organization of human resources within the Office of the Prosecutor and the Registry, including the appointment of a person in charge of financial investigations within the Office of the Prosecutor, the possibilities of the provision of police investigators by the States, the strengthening of tools and means of monitoring fugitive suspects, including through better coordination of the OTP and the Registry, or through financial or political mechanisms created by the ASP, and tools for remote investigation and collection of testimonies (R278, R282-284, R286-292). The facilitators called for the attention of the States Parties to recommendations R284 (regarding the consideration to appoint an ASP focal point for arrests), R289 (Regarding the consideration to set up a working group to consider the establishment and funding of a rewards program) and R290 (regarding the consideration to establish a special operations fund for the OTP), as these recommendations would require action from the ASP.

34. The facilitators indicated that the recommendations that imply choices by the ASP also concerned the focal points on non-cooperation. Initial contacts had been established on both sides of the Atlantic (between the legal advisers representing the facilitators on cooperation and the focal points on non-cooperation in New York) on this subject. One of the first preliminary conclusions that we were able to draw was that before considering the creation of additional ASP structures, it seemed appropriate to take stock of what had already been done to tackle the issue of arrests and the non-execution of arrest warrants and possibly initiate joint work on this topic. He noted however that in recent years, following several arrests, a certain progress in this area could be observed.

35. The OTP indicated that the implementation of these group of recommendations was well advanced. In this regard, the organisation of HR within the OTP is being reshaped in a holistic manner. The ranking of priorities by which the OTP is moving forward as well as the creation of unified teams and the flexible use of resources within these teams, already ensure the proper implementation of recommendation R282. The OTP also noted that the coordination between Registry and the OTP is well established and works very well. There is a protocol in place for the sharing of information on financial investigations. There is also a good experience also with the working group on suspects at large.

36. The OTP noted that had revised the Suspects at Large Tracking Team (SALTT) within the Integrated Services Division (ISD), noting that it would be changed from a reactive mode to a proactive mode of operations with greater coordination with the Unified Teams and the Registry, particularly in terms of prioritization. The Prosecutor has also undertaken to make an analyst available to the team. The impact of these measures will be reflected in the 2023 budget. The OTP noted that the experience of the Working Group on Fugitive Suspects and the results obtained in the past sufficiently demonstrate the desirability of the full implementation of R290. In this regard, a State Party indicated that its implementation would depend on the budgetary decisions made by the ASP.

37. The OTP indicated that recommendation 278 regarding the consideration by the OTP of obtaining assistance via strategic secondment of national law enforcement agents, was one the recommendations where the OTP had gone beyond expectations with the creation of the trust fund and the call to all States Parties to lend assistance to the OTP, in particular by seconding national experts to assist it and by making voluntary financial contributions to enable the Office to give due attention to situations currently under investigation or for which a trial is pending. He added that the Office had taken the necessary steps to ensure that such

secondment is incorporated into the standards applied by the Court's human resources section, without compromising the principle of recruitment based on merit and the principle of geographical and gender representation.

38. While supporting local recruitment, a call for caution was made as there could be a risk of bias of the locally recruited staff with regards the conflict. It was also noted that local recruitment should be a provisional or exceptional solution to address unforeseen challenges and should not be perpetuated in order to respect Court's independence. It was noted also that the legislation of some countries in relation to secondments can be very rigid, and not all States Parties would be in a position to support this measure and could have a negative effect on geographical representation and gender balance in the recruitment of staff.

39. The recommendations R293-298 related mainly to the deployment of investigators from the Office of the Prosecutor in the field, in situation countries, the recruitment of specific skills to respond more effectively to particular national situations, as well as better use of national office resources by the Office of the Prosecutor. The facilitators also noted that these recommendations were being assessed in coordination with the facilitation on gender balance and geographic balance.

40. The OTP indicated that it aimed at finalizing the implementation of all these recommendations by the end of 2022. With regards field deployment of the OTP investigators (R293-298), the OTP highlighted that the deployment of the OTP investigators in the field is one of the priorities of the Prosecutor's vision. He noted that as soon as he took office, the Prosecutor set up the Office's working group responsible for the presence in the field to reflect on the best way in which the office should be organized in the field, in coordination with the Registry, and on the transition from a centralized model from the seat of the Court to a more decentralized and field-based model. The desired objective being in particular more people in the field and more people with knowledge of the country in the teams, including nationals of the country of the situation.

41. Concerning the recommendations related to collection and analysis of evidence (R299-304), the OTP noted that the new structure of the Unified Teams, with an increased role for analysis and reinforced quality assurance by the Principal Coordinators and the supervision of the Deputy Prosecutors, was designed to promote the full and effective implementation of these recommendations. The OTP noted that the technological innovation in the area of digital and telecommunications was crucial to the Prosecutors vision to improve to the way the Office collects, handles and processes information and evidence.

42. A table with the result of the assessment can be found in Annex III.

## **IV. Recommendations**

43. The working group recommended that the Assembly continue to monitor cooperation with a view to facilitating States Parties in sharing their experiences and considering other initiatives to enhance cooperation with the Court. The working group also recommended to continue the assessment and the implementation of the recommendations of the Report of the Independent Expert Review bearing in mind the past activities already undertaken, including the 66 recommendations adopted by the Assembly on cooperation in 2007, in order to take further action to improve cooperation with the Court and to continue to include cooperation as a standing agenda item for future sessions of the Assembly, pursuant to operative paragraph 30 of resolution ICC-ASP/17/Res.3. The working group further recommended that the draft resolution in annex I be adopted by the Assembly.



## Annex I

### Proposed Resolution on Cooperation

*The Assembly of States Parties,*

*Recalling* the provisions of the Rome Statute, the Declaration on Cooperation (RC/Dec.2) agreed by States Parties at the Review Conference in Kampala and previous resolutions and declarations of the Assembly of States Parties with regard to cooperation, including ICC-ASP/8/Res.2, ICC-ASP/9/Res.3, ICC-ASP/10/Res.2, ICC-ASP/11/Res.5, ICC-ASP/12/Res.3, ICC-ASP/13/Res.3, ICC-ASP/14/Res.3, ICC-ASP/15/Res.3, ICC-ASP/16/Res.2, ICC-ASP/17/Res.3, ICC-ASP-18/Res.3, ICC-ASP-19/Res.2, **ICC-ASP-20/Res.2** and the sixty-six recommendations annexed to resolution ICC-ASP/6/Res.2,

*Determined* to put an end to impunity by holding to account the perpetrators of the most serious crimes of concern to the international community as a whole, and reaffirming that the effective and expeditious prosecution of such crimes must be strengthened, inter alia, by enhancing international cooperation,

*Stressing* the importance of effective and comprehensive cooperation and assistance by States Parties, other States, and international and regional organizations, to enable the Court to fulfil its mandate as set out in the Rome Statute and that States Parties have a general obligation to cooperate fully with the Court in its investigation and prosecution of crimes within its jurisdiction, including with regard to the execution of arrest warrants and surrender requests, as well as other forms of cooperation set out in article 93 of the Rome Statute,

*Welcoming* the report of the Court on cooperation,<sup>1</sup> submitted pursuant to paragraph 37 40 of resolution ICC-ASP/1920/Res.2,

*Noting* that contacts with persons in respect of whom an arrest warrant issued by the Court is outstanding should be avoided when such contacts undermine the objectives of the Rome Statute,

*Further noting* the arrest guidelines issued by the Office of the Prosecutor for the consideration of States, including inter alia, the elimination of non-essential contacts with individuals subject to an arrest warrant issued by the Court and that, when contacts are necessary, an attempt is first made to interact with individuals not subject to an arrest warrant,

*Noting* the guidelines setting out the policy of the United Nations Secretariat on contacts between United Nations officials and persons who are the subject of arrest warrants or summonses issued by the Court, as annexed to a letter dated 3 April 2013 by the Secretary General of the United Nations to the President of the General Assembly and the President of the Security Council,

*Recognizing* that requests for cooperation and the implementation thereof should take into account the rights of the accused,

*Commending* international and regional organizations' support for strengthening cooperation in the area of voluntary agreements,

*Recalling* the pledges relating to cooperation made by States Parties at the Review Conference in Kampala and noting the importance of ensuring adequate follow-up with regard to the implementation of pledges,

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<sup>1</sup> ICC-ASP/201/35.

*Taking note* of the resolution on Review of the International Criminal Court and the Rome Statute system<sup>2</sup> adopted by the ASP at its eighteen session requesting “the Bureau to address the following issues as a matter of priority in 2020 through its working groups and facilitations, in a fully inclusive manner, in line with their mandates [...]: (a) Strengthening cooperation”; the “Matrix over possible areas of strengthening the Court and the Rome Statute System”, dated 11 October 2019, prepared by the Presidency of the Assembly, which identifies as a priority issue to be addressed by the Bureau and its working groups, the strengthening of cooperation,

*Taking note* also of the “Independent Expert Review of the International Criminal Court and the Rome Statute System, Final Report”,<sup>3</sup> dated 30 September 2020, prepared by the Independent Experts,

1. *Emphasizes* the importance of timely and effective cooperation and assistance from States Parties and other States under an obligation or encouraged to cooperate fully with the Court pursuant to Part 9 of the Rome Statute or a United Nations Security Council resolution, as the failure to provide such cooperation in the context of judicial proceedings affects the efficiency of the Court and stresses that the non-execution of cooperation requests has a negative impact on the ability of the Court to execute its mandate, in particular when it concerns the arrest and surrender of individuals subject to arrest warrants;

#### **Execution of arrest warrants**

2. *Expresses* serious concerns that arrest warrants or surrender requests against 14 individuals remain outstanding despite the arrest and surrender to the Court of one suspects in January 2021 and urges States to cooperate fully in accordance with their obligation to arrest and surrender to the Court;

3. *Notes* the OTP and the Registry common efforts to devise and implement common strategies and missions to foster the arrest of suspects within the inter-organ working group on arrest strategies created in March 2016;

4. *Reaffirms* that concrete steps and measures to securing arrests need to be considered in a structured and systematic manner, based on the experience developed in national systems, the international ad hoc and mixed tribunals, as well as by the Court, regarding both tracking efforts and operational support;

5. *Underlines* the necessity to continue the discussions on practical solutions to improve cooperation between States and the Court with a view to enhancing prospects for the implementation of pending arrest warrants following the seminar organized by the facilitators on cooperation on 7 November 2018 in The Hague;

6. *Urges* States Parties to avoid contact with persons subject to a warrant of arrest issued by the Court, unless such contact is deemed essential by the State Party, welcomes the efforts of States and international and regional organizations in this regard, and acknowledges that States Parties may, on a voluntary basis, advise the Court of their own contacts with persons subject to a warrant of arrest made as a result of such an assessment;

#### **Implementation legislation of the Rome Statute**

7. *Recalls* that the ratification of the Rome Statute must be matched by national implementation of the obligations emanating therefrom, in particular through implementing legislation and, in this regard, *urges* States Parties to the Rome Statute that have not yet done so to adopt such legislative and to set up effective procedures and structures so as to ensure that

<sup>2</sup> Resolution ICC-ASP/18/Res.7, adopted at the 9th plenary meeting, on 6 December 2019.

<sup>3</sup> ICC-ASP/19/16.

they can fully meet their obligations under the Rome Statute regarding cooperation and judicial assistance;

8. *Acknowledges* efforts by States, by civil society organizations and by the Court, including through the Legal Tools Project, to facilitate exchange of information and experiences, with a view to raising awareness and facilitating the drafting of national implementing legislation and underlines the need to further exchange experience and best practices between States Parties;

#### **Informal consultations and establishment of focal points**

9. *Encourages* States to establish a national focal point and/or a national central authority or working group tasked with the coordination and mainstreaming of Court-related issues, including requests for assistance, within and across government institutions, as part of efforts aimed at making national procedures for cooperation more efficient, where appropriate;

10. *Recalls* the report to the thirteenth session of the Assembly on the feasibility study of establishing a coordinating mechanism of national authorities, and *encourages* States Parties to continue the discussion;

11. *Emphasizes* the on-going efforts made by the Court in providing focused requests for cooperation and assistance which contribute to enhancing the capacity of States Parties and other States to respond expeditiously to requests from the Court, *invites* the Court to continue improving its practice in transmitting specific, complete and timely requests for cooperation and assistance and *invites* States to consider offering consultations and facilitating meetings between the Court organs formulating the requests and the competent national authorities ultimately in charge of executing them with a view to finding solutions together on ways to assist or transmit the information sought and when appropriate, to follow up on execution of requests and discuss on the most efficient way forward;

#### **Financial investigations and freezing of assets**

12. *Recognizes* that effective and expeditious cooperation with regard to the Court's requests for the identification, tracing and freezing or seizure of proceeds, property and assets and instrumentalities of crime is crucial to the provision of reparations to victims and for potentially addressing the costs of legal aid;

13. *Underlines* the importance of effective procedures and mechanisms that enable States Parties and other States to cooperate with the Court in relation to the identification, tracing and freezing or seizure of proceeds, property and assets as expeditiously as possible, and; *calls on* all States Parties to put in place and further improve effective procedures and mechanisms in this regard, with a view to facilitating cooperation between the Court, States Parties, other States and international organizations;

14. *Recalls* the importance of the non-legally binding Paris Declaration on asset recovery, annexed to resolution ICC-ASP/16/Res.2;

15. *Welcomes* the development of the digital platform to reinforce the exchange of relevant information between States Parties to encourage inter-State cooperation and to strengthen States' capacity to cooperate with the Court; to identify the practical challenges to the effective execution of the Court's requests for cooperation and to further raise awareness of the Court's mandate and requirements for financial investigations and asset recovery, and *decides* to continue the work with the Court and the Secretariat of the Assembly in order to enhance the platform further in 2022;

16. *Welcomes* the preparatory work launched by the Court in order to set up a network of operational focal points in States Parties to enhance cooperation with the Court regarding financial investigations, tracing and freezing of assets, *encourages* the Court to continue this

work in order to launch in 2022 the activities of that network and encourages States Parties to support the functioning of that network;

**Cooperation with the Defence**

17. *Urges* States Parties to cooperate with requests of the Court made in the interest of Defence teams, in order to ensure the fairness of proceedings before the Court;

**Agreement on the Privileges and Immunities of the International Criminal Court**

18. *Calls upon* States Parties as well as non-States Parties that have not yet done so to become parties to the Agreement on Privileges and Immunities of the International Criminal Court as a matter of priority, and to incorporate it in their national legislation, as appropriate;

**Voluntary Cooperation**

19. *Acknowledges* the importance of protective measures for victims and witnesses for the execution of the Court's mandate, *welcomes* the new Relocation agreement concluded since the last resolution on cooperation,<sup>4</sup> and *stresses* the need for more relocation agreements or arrangements with the Court for the expeditious relocation of witnesses;

20. *Calls upon* all States Parties and other States, to consider strengthening their cooperation with the Court by entering into agreements or arrangements with the Court, or any other means concerning, inter alia, protective measures for victims and witnesses, their families and others who are at risk on account of testimony given by witnesses;

21. *Acknowledges* that, when relocation of witnesses and their families proves necessary, due account should be given to finding solutions that, while fulfilling the strict safety requirements, also minimize the humanitarian costs of geographical distance and change of linguistic and cultural environment and *urges* all States Parties to consider making voluntary contributions to the Special Fund for Relocations;

22. *Emphasizes* that the need for cooperation with the Court on the enforcement of sentences and on interim and final release is likely to increase in the coming years as more cases proceed toward conclusion, *recalls* the principle enshrined in the Rome Statute that States Parties should share the responsibility for enforcing sentences of imprisonment and for the interim and final release, in accordance with principles of equitable distribution, and *calls upon* States Parties to actively consider the conclusion of agreements with the Court to this end;

23. Commends and further encourages the work of the Court on framework agreements or arrangements, or any other means in areas such as interim release, final release - also in cases of acquittal - and sentence enforcement which may be essential to ensuring the rights of suspects and accused persons, in accordance with Rome Statute, and guaranteeing the rights of convicted persons and urges all States Parties to consider strengthening cooperation in these areas;

24. Requests the Bureau, through its Working Groups, to continue the discussions on voluntary framework agreements or arrangements and to report thereon to the Assembly at its twenty-first session;

**Cooperation with United Nations**

25. *Welcomes and further encourages* the increased cooperation between the Court and the United Nations, and other international and regional organizations, relevant mechanisms for collecting and preserving evidence, and other inter-governmental institutions with a view to fostering the prosecution of crimes falling within the jurisdiction of the Court;

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<sup>4</sup> ICC-ASP/19/Res.2.

26. *Urges* States Parties to explore possibilities for facilitating further cooperation and communication between the Court and international and regional organizations, including by securing adequate and clear mandates when the United Nations Security Council refers situations to the Court, ensuring diplomatic and financial support, cooperation by all United Nations Member States and follow-up of such referrals, as well as taking into account the Court's mandate in the context of other areas of work of the Security Council, including the drafting of Security Council resolutions on sanctions and relevant thematic debates and resolutions;

#### **Diplomatic support**

27. *Emphasizes* the importance of States Parties enhancing and mainstreaming diplomatic, political and other forms of support for, as well as promoting greater awareness and understanding of the activities of the Court at the international level, and *encourages* States Parties to use their capacity as members of international and regional organizations to that end;

#### **Promoting dialogue with all stakeholders**

28. *Welcomes* the work undertaken on the implementation of the 66 recommendations on cooperation adopted by States Parties in 2007,<sup>5</sup> *recalls* the flyer prepared by the Court that can be used by all stakeholders to promote the 66 recommendations and increase their understanding and implementation by relevant national actors and the Court;

29. *Welcomes* the joint panel discussion on strengthening cooperation with the Court organized by the co-facilitators on cooperation and the focal points on non-cooperation on 5 October 2020;

30. *Takes note* of the Bureau's Report on cooperation,<sup>6</sup> covering inter alia, the follow up to the Paris Declaration on financial investigations and asset recovery and the work on a secured digital platform on cooperation; considerations on the Court's relationship with the United Nations; and proposals concerning the follow-up action regarding cooperation issues identified in the framework of the review and strengthening process of the Court and the Rome Statute System, and priority areas for 2024<sup>2</sup>;

31. *Requests* the Bureau to maintain a facilitation of the Assembly of States Parties for cooperation to consult with States Parties, the Court, other interested States and relevant organizations and non-governmental organizations in order to further strengthen cooperation with the Court;

32. *Encourages* the Bureau, through its Working Groups to continue its review of the implementation of the 66 recommendations, in close cooperation with the Court, where appropriate;

33. *Requests* the Bureau, through the facilitation on cooperation, in accordance with the resolution on the Review of the International Criminal Court<sup>7</sup> and the Review Mechanism's Comprehensive Action Plan,<sup>8</sup> to continue to assess the recommendations related to cooperation and their follow-up, including their implementation as appropriate, and to report thereon to the Assembly at its twenty-first ~~first~~ **second** session;

34. *Requests* the Bureau, through the facilitation on cooperation, to continue to address a number of issues that have been priorities in recent years, and as a matter of priority : to continue the work to further develop the content of the Secured Platform on Cooperation; to

<sup>5</sup> Resolution ICC-ASP/6/Res.2, annex II.

<sup>6</sup> ICC-ASP/21/35/20/25.

<sup>7</sup> ICC-ASP/19/ Res.7.

<sup>8</sup> [https://asp.icc-cpi.int/iccdocs/asp\\_docs/ASP20/RM-Comprehensive Action Plan-ENG.pdf](https://asp.icc-cpi.int/iccdocs/asp_docs/ASP20/RM-Comprehensive Action Plan-ENG.pdf).

hold consultations on the advisability of developing regional thematic focal points on cooperation, of creating a permanent structure for a network of national practitioners and focal points on cooperation, and on the deepening of the relationship between the UN and its agencies and entities, including for capacity building purpose in order to foster cooperation with the Court;

35. Encourages the Bureau to identify issues for the Assembly to continue holding plenary discussions on specific topics related to cooperation, including on the issue of financial investigations and arrests;

36. Recognizes the importance of ensuring a safe environment for strengthening and fostering cooperation between civil society and the Court and of taking all necessary action to address threats and intimidation directed at civil society organizations;

~~37. Takes note that due to the COVID-19 pandemic, the Court was not able to organize its 8th Focal Points Seminar on Cooperation during the reporting period, which is expected to take place in 2022, focused on cooperation regarding financial investigations and recovery of assets, underlines that those seminars constitute important platforms to enhance dialogue and cooperation between the Court and States Parties, including on new developments in technical areas of cooperation, and encourages all stakeholders, including civil society organizations, to continue organizing events that allow for exchange of information with the purpose of enhancing cooperation and constructively seeking solutions to identified challenges;~~

38. **[Placeholder for text based on ASP cooperation debate];**

39. *Recognizing* the importance of the Court's contribution to the Assembly's efforts to enhance cooperation, welcomes the Court report on cooperation,<sup>9</sup> which contained disaggregated data over the responses provided by States Parties, including highlighting the main challenges, and requests the Court to submit an updated report on cooperation to the Assembly at its twenty-first-second session.

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<sup>9</sup> ICC-ASP/210/235.

## Annex II

### Proposed text for omnibus resolution

#### A. Cooperation

1. *Refers* to its resolution ICC-ASP/2021/Res.[...] on cooperation;
2. *Calls upon* States Parties to comply with their obligations under the Rome Statute, in particular the obligation to cooperate in accordance with Part 9, and *also calls upon* States Parties to ensure full and effective cooperation with the Court in accordance with the Rome Statute, in particular in the areas of implementing constitutional and legislative framework, enforcement of Court decisions and execution of arrest warrants;
3. *Reaffirms* the importance of supporting all those cooperating with the Court, including States and relevant international bodies and entities, in order to secure the ability of the Court to fulfil its critical mandate of holding accountable perpetrators of the most serious crimes of concern to the international community and delivering justice to victims;
4. *Further calls upon* States Parties to continue to express their political and diplomatic support to the Court, *recalls* the sixty-six recommendations annexed to resolution ICC-ASP/6/Res.2 and *encourages* States Parties and the Court to consider further measures to enhance their implementation and to strengthen their efforts to ensure full and effective cooperation with the Court;
5. *Welcomes* the Court's report and comprehensive presentation on cooperation,<sup>10</sup> which contained disaggregated data over the responses provided by States Parties, including highlighting the main challenges;
6. *Underlines* the necessity to continue the discussions on practical solutions to improve cooperation between States and the Court with a view to enhancing prospects for the implementation of pending arrest warrants following the seminar organized by the facilitators on cooperation on 7 November 2018 in The Hague;
7. *Underlines also* the necessity to continue the discussions between the co-facilitators on cooperation and the focal points no-cooperation and the Court, following the joint panel discussion on strengthening cooperation with the Court held on 5 October 2020;
8. **[Placeholder for text based on ASP cooperation debate];**
9. *Underlines* the importance of effective procedures and mechanisms that enable States Parties and other States to cooperate with the Court in relation to the identification, tracing and freezing or seizure of proceeds, property and assets as expeditiously as possible, and *calls on* all States Parties to put in place and further improve effective procedures and mechanisms in this regard, with a view to facilitate cooperation between the Court, States Parties, other States and international organizations;
10. *Recalls* the importance of the non-legally binding Declaration of Paris on asset recovery annexed to resolution ICC-ASP/16/Res.2;
11. *Recalls* the existence of the secured digital platform for States Parties to exchange relevant information on cooperation and financial investigations and assets recovery; -
12. *Recalls* the recommendations on cooperation contained in the 30 September 2020 Independent Experts Report;<sup>11</sup>
13. *Recalls* the Procedures relating to non-cooperation adopted by the Assembly in ICC-ASP/10/Res.5 and revised by the Assembly in resolution ICC-ASP/17/Res.5, *recognizes* with concern the negative impact that the non-execution of Court requests *continues* to have

<sup>10</sup> ICC-ASP/210/24.

<sup>11</sup> ICC-ASP/19/16.

on the ability of the Court to execute its mandate, *takes note* of the past decisions of the Court on non-cooperation;

14. *Recalls* the Toolkit for the implementation of the informal dimension of the Assembly procedures relating to non-cooperation,<sup>12</sup> which was revised as annex III to ICC-ASP/17/31 and *encourages* States Parties to make use of it as they see fit in order to improve the implementation of the Assembly procedures relating to non-cooperation;

15. *Takes note* of the report of the Bureau on non-cooperation,<sup>13</sup> *welcomes* the efforts of the President of the Assembly in implementing the Assembly procedures relating to non-cooperation and *recalls* that the President serves *ex officio* as focal point for his or her region,<sup>14</sup> *calls upon* all stakeholders, at all levels, to continue assisting the President of the Assembly, including when accomplishing his or her task with the support of the regional focal points for non-cooperation;

16. *Recalls* the role of the Assembly of States Parties and the Security Council with respect to non-cooperation as provided for by articles 87, paragraph 5, and 87, paragraph 7, of the Rome Statute, and *welcomes* the efforts of States Parties to strengthen the relationship between the Court and the Council;

17. *Calls upon* States Parties to continue their efforts to ensure that the Security Council addresses the communications received from the Court on non-cooperation pursuant to the Rome Statute, *encourages* the President of the Assembly and the Bureau to continue consulting with the Security Council and also *encourages* both the Assembly and the Security Council to strengthen their mutual engagement on this matter;

18. *Takes note with appreciation* that, after a situation of non-cooperation that prevailed over a decade, there have been positive developments in Sudan since the 18<sup>th</sup> Session of the Assembly and *encourages* effective cooperation with the Court in accordance with Security Council resolution 1593, while *expressing concern* about the military takeover in Sudan on 25 October 2021;

19. *Noting* the past orders of the Pre-Trial Chamber to the Registrar concerning action to be taken in case of information relating to travel of suspects, *urges* States to share with the focal points on non-cooperation any information concerning potential or confirmed travel of persons against whom an arrest warrant has been issued;

## B. Mandates of the Assembly of States Parties for the intersessional period

1. With regard to **cooperation**,

a) *urges* the Bureau, through The Hague Working Group, to continue the discussions on the proposals resulting from the seminar of the co-facilitation held in The Hague on 7 November 2018 entitled “Arrests: a key challenge in the fight against impunity”;

b) *requests* the Bureau, through its Working Groups, to continue the discussions on voluntary framework agreements or arrangements, and to report thereon to the Assembly at its twenty-~~first~~ **second** session;

c) *invites* the Bureau, through its Working Groups, to discuss the feasibility of establishing a coordinating mechanism of national authorities;

d) *invites* the Bureau, through its Working Groups, to continue to strengthen the relationship between the UN and its agencies and entities, including for capacity building, the ICC and States Parties, to foster cooperation with the Court;

e) *invites* the Court to continue improving its practice in transmitting specific, complete and timely requests for cooperation and assistance, including by considering consultations with the State Party concerned when necessary;

<sup>12</sup> ICC-ASP/15/31, Add.1, annex II.

<sup>13</sup> ICC-ASP/21/0/33.

<sup>14</sup> ICC-ASP/11/29, para. 12.



f) *encourages* the Bureau, through its Working Groups, to continue its review of the implementation of the 66 recommendations on cooperation adopted by States Parties in 2007,<sup>15</sup> in close cooperation with the Court, where appropriate;

g) *requests* the Bureau to maintain a facilitation of the Assembly of States Parties for cooperation to consult with States Parties, the Court, other interested States, relevant organizations and non-governmental organizations in order to further strengthen cooperation with the Court;

h) *requests* the Bureau, through the facilitation on cooperation, in accordance with the resolution on the Review of the International Criminal Court<sup>16</sup> and the Review Mechanism's Comprehensive Action Plan<sup>17</sup>, to continue to assess the recommendations related to cooperation and their follow-up including their implementation as appropriate, and to report thereon to the Assembly at its twenty-~~first~~ **second** session;

i) *requests* the Court to continue to submit an updated report on cooperation to the Assembly at its annual session, containing disaggregated data over the responses provided by States Parties, including highlighting the main challenges;

j) *mandates* the Bureau, through its Working Groups, to continue discussions on cooperation on financial investigations and the freezing and seizing of assets as set out in the Declaration of Paris, including by continuing the work to further develop the secured digital platform.

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<sup>15</sup> ICC-ASP/6/Res.2, annex II.

<sup>16</sup> ICC-ASP/19/Res.7.

<sup>17</sup> [https://asp.icc-cpi.int/iccdocs/asp\\_docs/ASP20/RM-Comprehensive Action Plan-ENG.pdf](https://asp.icc-cpi.int/iccdocs/asp_docs/ASP20/RM-Comprehensive Action Plan-ENG.pdf).

## Annex III

### **Proposed text for budget resolution on the Trust Fund for Family Visits**

“Recalling the resolutions ICC-ASP/8/Res. 4 and ICC-ASP/9/Res.4 on the family visits for indigent detainees and the principle of funding such visits through voluntary donations into the Trust Fund for Family Visits:

1. *Urges* the States Parties, other States, non-government organisations, civil society and other entities to continue making immediate voluntary contributions to the Trust Fund for Family Visits and *call on* other potential contributors to positively consider making contributions;
2. *Recalls* that the Trust Fund for Family Visits shall continue to be administered on a budget neutral basis;
3. *Notes* that the recurrent inability of the Court to meet the qualifying needs for family visits for indigent detainees can lead to more onerous situations, financially and legally, and *decides* that the Court may, within existing resources, subsidize family visits for indigent detainees using its regular budget in the exceptional and unavoidable situations where the Trust Fund for the Family Visits is depleted or its available resources are insufficient to do so, in a manner fully consistent with all applicable administrative and judicial criteria.

## Annex IV

## Table of recommendations

R150	positive	Already being implemented. A working group within the Court has been created to analyze a series of other activities that the New York Office could carry out in order to strengthen its role.
R151	positive	Already being implemented.

R268	positive	Already being implemented. Operations Manual, currently being revised.
R269	positive	Already being implemented. Reorganization of the OTP since the publication of the report of the independent experts. OTP is currently working on a revised version of the operations manual in order to better capture the main lessons learned and continue standardizing practices. The new strategic plan would provide further information on the Office's new direction with regard to investigations. Changes in the focus, speed and control of investigations have already been implemented under the new strategy in place and each situation is managed by the Deputy Prosecutors.
R270	positive	See comment on R269.
R271	positive	See comment on R269.

R278	positive	Already implemented. States Parties called for careful handling of its implementation.
R282	positive	Already being implemented.
R283	positive	Already being implemented.
R284	positive	Not yet implemented - caution on duplication of ASP structures. Initial contacts had been established on both sides of the Atlantic (between the legal advisers representing the facilitators on cooperation and the focal points on non-

		cooperation in New York) on this subject. One of the first preliminary conclusions that we were able to draw was that before considering the creation of additional ASP structures, it seemed appropriate to take stock of what had already been done to tackle the issue of arrests and the non-execution of arrest warrants and possibly initiate joint work on this topic.
R286	positive	Initial contacts had been established on both sides of the Atlantic (between the legal advisers representing the facilitators on cooperation and the focal points on non-cooperation in New York) on this subject. One of the first preliminary conclusions that we were able to draw was that before considering the creation of additional ASP structures, it seemed appropriate to take stock of what had already been done to tackle the issue of arrests and the non-execution of arrest warrants and possibly initiate joint work on this topic.
R287	positive	Already being implemented. Coordination between OTP and the Registry is well established and functional.
R288	positive	Already being implemented.
R289	positive	Not yet implemented. OTP had concluded its revision of the Suspects at Large Tracking Team (SALTT) within the Integrated Services Division (ISD), noting that it would be changed from a reactive mode to a proactive mode of operations with greater coordination with the Unified Teams and the Registry, particularly in terms of prioritization. The Prosecutor has also undertaken to make an analyst available to the team. The impact of these measures will be reflected in the 2023 budget.
R290	positive	Not yet implemented. Implementation would depend on the budgetary decisions made by the ASP.
R291	positive	Already being implemented.
R292	positive	Already being implemented.

R293	positive	Already being implemented.
R294	positive	Already being implemented.
R295	positive	Already being implemented - caution with regard to the local recruitment of staff potentially involved in investigations.
R296	positive	Already being implemented.
R297	positive	Already being implemented.
R298	positive	First half 2023.

R299	positive	Already being implemented.
R300	positive	Already being implemented.
R301	positive	Already being implemented.
R302	positive	Already being implemented.
R303	positive	Already being implemented.
R304	positive	Already being implemented.