



PERMANENT MISSION OF SAMOA
TO THE UNITED NATIONS

800 Second Avenue, Suite 400J • New York, N.Y. 10017
Tel.: (212) 599-6196 • Fax: (212) 599-0797

Ref. No. SM/10/03/337

The Permanent Mission of the Independent State of Samoa to the United Nations presents its compliments to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court and has the honour to refer to the latter's Note reference ICC-ASP/11/SP/PA/12 of 26 June 2012 requesting for States Parties to provide information relevant to promotion of the ratification and full implementation of the Rome Statute.

The Permanent Mission of Samoa has further the honour to attach hereto the completed questionnaire of the Government of the Independent State of Samoa as requested in the aforementioned Note provided by the Secretariat under Annex III.

The Permanent Mission of the Independent State of Samoa to the United Nations avails itself of this opportunity to renew to the Secretariat of the Assembly of States Parties to the Rome Statute of the International Criminal Court the assurance of its highest consideration.

New York, 3 October 2012

Secretariat of the Assembly of States Parties to the
Rome Statute of the International Criminal Court
The Hague, The Netherlands

Cc:
The ICC Liaison Officer
United Nations Secretariat
New York



Annex III

Implementing Legislation questionnaire for State Parties

1. Has your Government adopted any national legislation implementing the Rome Statute (the Statute), or otherwise enacted legislation pertaining to the Rome Statute?

YES

The Government of the Independent State of Samoa adopted in November 2007 its International Criminal Court Act 2007 – legislation pertaining to the Rome Statute.

Part B

5. In implementing the Statute, did your Government draft a stand-alone legislation or did it incorporate the articles or substantive provisions of the Statute into pre-existing laws.

A stand-alone legislation was drafted as Samoa did not have pre-existing laws for which substantive provisions of the Statute could be incorporated.

6. Does the implementing legislation incorporate the substantive crimes through reference to the statute or by incorporating the crimes into domestic legislation.

Given that it is a stand-alone legislation, all the crimes are in the ICC legislation for matters covered by the Statute.

7. Does the implementing Legislation incorporate the following aspects of cooperation with the Court and if yes, how?

- (a) Arrest and surrender:

Part IV of the International Criminal Court Act 2007 provides the procedure for handling requests on arrest and surrender from the ICC.

- (b) Interim Release

Referenced in the Schedule of the Act

- (C) Cooperation with OTP Investigations

Referenced in the Schedule of the Act

- (d) Cooperation with the Court on the identification, tracing and freezing or the seizure of proceeds, property and assets and instrumentalities of crimes

Referenced in the Schedule of the Act; and Sections 73 and 98 of the Act specifically addresses cooperation with the International Criminal Court on the identification, tracing and freezing or the seizure of proceeds, property and assets and instrumentalities of crimes.

(e) Enforcement of Sentences

The enforcement of sentences is covered under Part IV of the Act.

(f) Other forms of Cooperation (see in particular article 93 of the Rome Statute)

Referenced in the Schedule of the Act; and Sections 73 and 98 of the Act.

8 Does the implementing legislation designate a channel of communication with the Court?

YES. Process and Procedure are included in the Act.