



## Assembly of States Parties

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### Seventeenth session

The Hague, 5-12 December 2018

### **Request by the State of Palestine for the inclusion of an item on the provisional agenda of the seventeenth session of the Assembly**

1. Pursuant to rule 11 of the Rules of Procedure of the Assembly of States Parties<sup>1</sup>, the Secretariat received a request by the State of Palestine for the inclusion of an item on the agenda of the seventeenth session of the Assembly:
  - (a) **“Addressing the threats directed at the International Criminal Court, its Judges and States Parties cooperating with the Court.”**
2. An explanatory memorandum on the agenda item, which was submitted pursuant to rule 18 of the Rules of Procedure of the Assembly of States Parties<sup>2</sup>, is included in the annex.

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<sup>1</sup> Rule 11: “Drawing up of the provisional agenda. 2. The provisional agenda shall include, inter alia: (j) Any item proposed by any State Party.”

<sup>2</sup> Rule 18: “Explanatory memorandum. Any item proposed for inclusion in the agenda shall be accompanied by an explanatory memorandum and, if possible, by basic documents or by a draft decision.”

## **Annex**

### **Request by the State of Palestine for the inclusion of an item in the agenda of the seventeenth session of the Assembly titled “Addressing the threats directed at the International Criminal Court, its Judges and States Parties cooperating with the Court”**

#### **Motivation**

1. During its sixteenth meeting held in New York in December 2017, the Assembly of States Parties of the International Criminal Court reaffirmed, by consensus, the importance of States Parties’ cooperation with the Court to the fulfillment of the mandate of the ICC, and its grave concern regarding attempts at intimidation to deter cooperation. It also recalled the importance of supporting all those cooperating with the Court, including States, in order to secure the ability of the Court to fulfill its critical mandate of holding accountable perpetrators of the most serious crimes of concern to the international community and delivering justice to victims.
2. Today, the International Criminal Court faces an outrageous attack, unprecedented since its establishment twenty years ago. These threats against the Court and punitive measures against States Parties of the ICC require a strong and unified stance from all States Parties, and need to be addressed during the upcoming 17th session of the Assembly of States Parties of the ICC.
3. The ICC must be able to fulfill its mandate in service of justice and world peace and security under the Rome Statute, which was crafted and enacted to ensure the successful pursuit of the difficult and yet indispensable task of ending war crimes, crimes against humanity, genocide and the crime of aggression. States Parties must uphold their statutory responsibilities to preserve the Court and its independence, and to foster cooperation with it.

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