

## **Review – Comprehensive Action Plan : Comments by Belgium**

Belgium wishes to thank the Review Mechanism for the work already achieved and for the request for comments for the comprehensive action plan. Please find the Belgian comments below.

We express our concern regarding excessive implication of States in the process of assessment and possible further action of the recommendations of the Independent Expert Review. The categorisation of the recommendations, as approved by the Bureau, should be respected as much as possible even though it does not entirely satisfy Belgium as too many recommendations have been categorised as directed to the ASP or to the Court and the ASP.

Belgium commends the Court for its active engagement in this review process. The review process of the Court and the system of the Statute of Rome cannot, however, allow States to intervene in the management of Court's judicial activities as the independence and impartiality of the Court need to be preserved in all circumstances. Moreover, it has to be avoided that the excessive involvement of the ASP in the discussion of recommendations directed at the Court put the exercise of the mandate of the Court at risk and cause delays in the ongoing judicial proceedings. Transparency of the process cannot lead to undue micromanagement and distraction of the Court from its core task as a judicial institution.

Regarding the view of some States Parties that the Assembly needs to be involved in many of the discussions to take place on important recommendations, Belgium is not in favour of creating a supplementary forum for discussion. The existing facilitations and working groups can be used to this end.