



**Cour
Pénale
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**International
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Court**



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President of the International Criminal Court**

**21st Session of the Assembly of States Parties to the Rome Statute
Remarks at Plenary Meeting on Cooperation**

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Excellencies, distinguished delegates, ladies and gentlemen:

It is a great pleasure to address this plenary meeting on cooperation. I thank the co-chairs for inviting me to speak.

Cooperation lies at the heart of the Rome Statute system and is vitally important for the Court's functioning.

As a Member of the Presidency, one of the areas of cooperation close to my heart is the enforcement of sentences.

Although this is a form of voluntary cooperation, it remains integral to the credibility of the Court.

The preamble of the Rome Statute resolves "to guarantee lasting respect for **and the enforcement of** international justice". The enforcement of sentences of imprisonment is a key part of this enforcement of international justice itself.

The Court does not have a prison of its own, and the sentences of imprisonment it pronounces cannot be enforced without the cooperation of a State willing to receive the convicted person.

As the Court's caseload increases, so does the need for voluntary cooperation in the form of the enforcement of sentences.

This is done by negotiating and concluding a framework agreement with the ICC, which consolidates in one document all the legal provisions to which States Parties have already agreed governing the enforcement of sentences.

A State may also attach conditions to its willingness to enforce sentences, which the Presidency can accept or not, depending on their compatibility with the Rome Statute.

I would like to stress that the conclusion of a framework agreement does not yet bind a State Party to accept any sentenced person.

This is because designating the State of enforcement operates on the principle of “double consent”: States must first agree to accept prisoners in general, by concluding a framework agreement, and then again agree to accept a person convicted by the Court in a specific case.

Until today, 14 States Parties have concluded framework agreements with the Court on the enforcement of sentences. Today, one more agreement will be concluded. Indeed, I am very grateful that the Kingdom of Spain has decided to join our enforcement family today by signing a framework agreement with the Court.

At the same time, I invite more States Parties to follow suit. It is a tangible way to show support for the ICC.

I note in particular that the Court can have sentenced persons from all regions of the world. The Court benefits if sentenced persons are able to serve their sentences in places which are appropriate in view of their language, cultural background, and need to maintain family ties. A broader range of States which have indicated their willingness to accept sentenced persons can only facilitate the Court’s capacity to achieve this.

[National implementation and APIC]

Excellencies, ladies and gentlemen:

Before I finish, I would like to bring to your attention another important matter: the ratification of the Agreement on the Privileges and Immunities, and the national implementation of the Rome Statute, to provide national procedures for cooperation.

These crucial steps should be taken by all States Parties to the Rome Statute; however, almost half of them are yet to do one or the other, or both. Accordingly, I urge renewed attention on these important issues, which have a real impact on the Court’s operational efficiency.

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Excellencies, ladies and gentlemen,

I would like to finish my remarks with an expression of gratitude to France and Senegal for all their efforts as co-focal points on cooperation. I also reiterate the Court's gratitude to all States and organisations that extend their cooperation as well crucial political support to the ICC.

Thank you, and thank you for your attention.

[end]