

**SECRETARIAT OF THE ASSEMBLY OF STATES PARTIES TO THE ROME
STATUTE OF THE INTERNATIONAL CRIMINAL COURT**

THE HAGUE WORKING GROUP

Complementarity

First meeting

25 March 2026

Informal summary

The meeting was chaired by the ad country co-focal points, Ambassador Greg French (Australia) and Ambassador Mirjam Blaak Sow (Uganda).

The *ad country* co-focal points welcomed delegations, representatives of the Court, observer States, and civil society, and thanked States Parties for the renewal of their mandate. They recalled that the facilitation would continue to address complementarity, including issues related to gender-based crimes, and informed participants that meetings of the facilitation would continue to be held in a hybrid format to facilitate the participation of those joining from outside The Hague.

1. Presentation of the complementarity workplan

The *ad country* co-focal points introduced the workplan for 2026 and the tentative calendar of work, and noted it may be modified in light of developments, recalling that it was based on the complementarity mandate contained in the omnibus resolution. They indicated that the facilitation would remain seized of the issue and continue dialogue on complementarity with the Court and other stakeholders. They highlighted that the workplan would focus on complementarity dialogue, including capacity-building efforts, gender-based crimes, the review of the facilitation, and the Complementarity Platform aimed at facilitating exchanges of information and identifying needs. They further indicated that six meetings were foreseen during the year, covering thematic discussions and the finalisation of the report.

2. Opening remarks by the Deputy Prosecutor and complementarity dialogue

The Deputy Prosecutor, Ms. Nazhat Khan, provided the opening remarks and presented the developments of OTP complementarity, which remained a key priority for 2026. She recalled that OTP was pursuing a partnership-based approach with States, noted a shift towards more proactive engagement with national authorities and underlined that complementarity was no longer only assessed in court, but actively supported in practice. The Deputy Prosecutor further indicated that the OTP provides practical and targeted support to national jurisdictions, including through the sharing of evidence and technical expertise, in a case-driven manner focused on tangible results. She also noted that complementarity increasingly involved joint investigative efforts, faster exchange of information and coordinated practices across jurisdictions, and played a role in bridging efforts among different actors. She stressed that complementarity must be understood as part of a broader system, and emphasized that positive complementarity was based on sharing efforts rather than dividing responsibilities.

During the discussion, a delegation raised questions regarding complementarity in the context of hybrid mechanisms in Africa and possible cooperation with the Court. The OTP explained that there was no single model of complementarity applicable to all situations and that hybrid mechanisms, such as Central African Republic could be an example of a partnership-based approach in the context of transitional justice.

3. Updates on the implementation of the OTP's Policy on Complementarity and Cooperation and the way forward

The working group received a presentation from OTP on the implementation of its Policy on Complementarity and Cooperation. During the discussion, delegations raised questions regarding the application of complementarity in situations involving overlapping jurisdictions, the allocation of resources, and developments concerning a possible hybrid mechanism in the Democratic Republic of the Congo (DRC). The Deputy Prosecutor noted that complementarity was assessed on the basis of the “same person-same conduct test” on whether national authorities investigation parameters would overlap with those of the OTP. The OTP indicated that complementarity-related activities were supported by contributions from the Trust Fund, as well as the regular budget, and that resource allocation varied depending on the situation. The OTP also emphasized that complementarity and investigative activities were mutually reinforcing and noted that discussions on a possible special tribunal in the DRC were ongoing. Reference was also made to joint investigative teams, including in Libya and Ukraine, as examples of effective complementarity in practice. Additional questions were raised regarding the integration of complementarity in the 2026-2029 Strategic Plan, updates on Darfur, and the OTP's work on environmental crimes. The OTP indicated that complementarity was embedded in the Strategic Plan, that engagement on Darfur was ongoing, and that discussions on environmental crimes were at an early stage, including engagement with experts and civil society.

4. Other matters

No other matters were raised. The *ad country* co-focal points thanked participants for their contributions and for the views and suggestions expressed.
