

Plenary Session on Cooperation – Segment 1 Voluntary Cooperation – 8 December 2022.

Thank you chair for the floor.

The Netherlands would like to thank the co-facilitators for their continued efforts on this important issue.

As the Host State, cooperation plays a key role in our day-to-day work. The Court relies on our cooperation in many areas ranging from the security and protection of the Court's premises, officials and witnesses to the transportation of suspects. We take pride in this work as it allows the Court to fulfill its important mandate. However, the Court relies on the cooperation of all States Parties.

For the relocation of witnesses, the enforcement of sentences and the release of persons either on an interim or permanent basis the court depends on voluntary cooperation. Unfortunately, far too often we see that voluntary cooperation is extremely difficult to secure for the Court, making that sub-optimal and temporary solutions have to be found.

All the time, effort and resources the Court has to put towards these solutions cannot be used elsewhere. The last few days a lot has been said about the Courts budget. The Netherlands finds it important that the Court has sufficient financial means to fulfill its mandate, but also that the Court can use these means in an effective and efficient way. Costs related to the lack of voluntary cooperation are unnecessary if all States Parties take on this joint responsibility.

Voluntary cooperation agreements provide a general framework that allow States considerable flexibility to grant or refuse cooperation in a specific case. If more States conclude these agreements this also means that the Court does not have to over-ask those States that have concluded these agreements.

The Netherlands hopes that cooperation with the Court will continue to improve. And there are concrete steps being taken that make us hopeful. Two days ago the registry, together with Argentina, The United States and Sweden organized an important side-event on witness relocation which was very well attended. Last week the Czech Republic signed a cooperation agreement on the protection of witnesses. And later today Spain will sign an agreement on the enforcement of sentences. We would like to commend these States for their efforts in allowing the Court to fulfill its mandate and call on all States Parties to follow in these footsteps.

Thank you