

**Assembly of States Parties 2023**  
**Plenary session on cooperation**

**Friday 8<sup>th</sup> December 2023**

**11:45-11:50**

**United Nations Headquarters, New York**

**Presentation by the Deputy Prosecutor of the International Criminal Court**

**Ms Mandiaye Niang**

## **Introduction**

- Cooperation and complementarity are the cornerstones of the Rome Statute.
- It is necessary to revitalise efforts and seek constructive ways to reinvent partnerships with States and with civil society organisations.
- The Office has endeavoured to forge new relationships and to find common ground to strengthen the principles of cooperation and complementarity.
- The key aspect of this new approach is to develop a strategic road map which defines a framework for engagement.

## **General policy regarding complementarity and cooperation**

- The general policy includes a series of measures and policies:
  - The Office, as an effective partner of the national authorities, providing assistance;
  - Bringing justice closer to communities;
  - The need to establish close partnerships with the partners in question.

## **A two-level approach**

- The Office will engage with the States, whilst also remaining vigilant about its mandate at every stage and in every situation and case.
- The aim is to provide an effective and coordinated effort to address the chasm of impunity.

## **Complementarity and cooperation in practice**

- Example of the situation in the DRC:
  - Strategic roadmap drawn up;
  - Memorandum of Understanding signed;
  - Workshop on processing priority cases;
  - Training session to be held in 2024.
- Example of the situation in the CAR:
  - Investigation concluded in 2022;
  - Two memoranda of understanding signed last month with the CAR and the SCC;
  - Planned actions: organise training, share experience, best practice and lessons learned, including with regard to witness protection.

### **Establishing a community of practice**

- The Office will set up new fora and platforms to exchange ideas and information and monitor progress achieved at the national level.
- The objective is to identify areas in which the Office of the Prosecutor and States can provide mutual support and assistance when dealing with cases by deploying personnel and national experts.
- Examples: training for the Special Jurisdiction for Peace in Colombia, forensic teams in Ukraine.

### **Technology as an accelerator**

- Strategic initiatives must be combined with the appropriate capacity and infrastructure to be able to process greater and more complex data sets.

### **Bringing justice closer to communities and establishing partnerships with stakeholders**

- It is vital to get closer to victims and to strengthen relationships with stakeholders
- The Office establishes a presence on the ground and strengthens engagement with civil society organisations (roundtables and consultations on general policies).
- The Office strengthens its cooperation with the special tribunals and hybrid mechanisms: SCC, Independent Investigative Mechanism for Myanmar.

### **Using cooperation mechanisms**

- The Office also seeks more in-depth strategic discussions and to explore different channels which could lead to a more efficient allocation of cases between the international, national and regional levels.
- Example: Joint Investigation Team (for Ukraine and Libya).

### **Conclusion**

- The Office will follow a pro-active approach towards engagement with partners in line with the Rome Statute.
- Cooperation is a two-way street.

- The Office will broaden communication channels and will explore every option to ensure autonomy for national actors.